



# MINUTES

## HOUSE HEALTH AND HUMAN SERVICES STANDING COMMITTEE

LEGISLATURE

Tuesday, February 21, 2023 | 4:00 p.m. | 110 Senate Building

**Members Present:**

Rep. Cheryl K. Acton, Vice Chair  
Rep. Stewart E. Barlow  
Rep. Jennifer Dailey-Provost  
Rep. Steve Eliason  
Rep. Stephanie Gricius  
Rep. Tim Jimenez  
Rep. Marsha Judkins  
Rep. Quinn Kotter  
Rep. Rosemary T. Lesser

Rep. Anthony E. Loubet  
Rep. Raymond P. Ward

**Members Absent:**

Rep. Ken Ivory, Chair  
Rep. Sandra Hollins  
Rep. Robert M. Spendlove

**Staff Present:**

Seth Anderson, Policy Analyst  
Lorna Wells, 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 at 4:02 p.m.

**MOTION:** Rep. Dailey-Provost moved to approve the minutes of February 16, 2023 meeting. The motion passed with a vote of 8 - 0 - 6.

Yeas - 8

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

Nays - 0

Absent - 6

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

**MOTION:** Rep. Gricius moved to approve the revised minutes of the February 13, 2023 meeting. The motion passed with a vote of 8 - 0 - 6.

Yeas - 8

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

Nays - 0

Absent - 6

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

[Revised Minutes from House HHS February 13, 2023](#)

**1. 2nd Sub. S.B. 137 Medical Cannabis Amendments (Escamilla, L.)**

Sen. Luz Escamilla presented the bill.

Rich Oborn, Director, Center for Medical Cannabis, Utah Department of Health and Human Services, answered committee questions.

**MOTION:** Rep. Dailey-Provost moved to amend 2nd Substitute S.B. 137 with Amendment #1. The motion passed with a vote of 11 - 0 - 3.

Amendment 1  
2nd Sub. S.B. 0137

1. Page 30, Lines 909 through 914:

909 (4) (a) Except as provided in Subsection (4)(b), a qualified medical provider may not  
910 recommend a medical cannabis treatment to more than ~~{2}~~ 1.5 % of the total amount of medical  
911 cannabis patient cardholders.  
912 (b) If a qualified medical provider receives payment from an insurance plan for  
913 services provided under this chapter, then the patient whose insurance plan was billed does not  
914 count toward the ~~{2}~~ 1.5 % patient cap described in Subsection (4)(a).

Yeas - 11

Nays - 0

Absent - 3

Rep. C. Acton  
Rep. S. Barlow  
Rep. J. Dailey-Provost  
Rep. S. Eliason  
Rep. S. Gricius  
Rep. T. Jimenez  
Rep. M. Judkins  
Rep. Q. Kotter  
Rep. R. Lesser  
Rep. A. Loubet  
Rep. R. Ward

Rep. S. Hollins  
Rep. K. Ivory  
Rep. R. Spendlove

**MOTION:** Rep. Dailey-Provost moved to pass 2nd Substitute S.B. 137 as amended out favorably. The motion passed with a vote of 11 - 0 - 3.

Yeas - 11

Nays - 0

Absent - 3

Rep. C. Acton  
Rep. S. Barlow  
Rep. J. Dailey-Provost  
Rep. S. Eliason  
Rep. S. Gricius  
Rep. T. Jimenez  
Rep. M. Judkins  
Rep. Q. Kotter  
Rep. R. Lesser  
Rep. A. Loubet  
Rep. R. Ward

Rep. S. Hollins  
Rep. K. Ivory  
Rep. R. Spendlove

## **2. 1st Sub. S.B. 140 Adult Protective Services Amendments (Kwan, K.)**

Sen. Karen Kwan presented the bill with the assistance of Nan Mendenhall, Director, Adult Protective Services, Department of Health and Human Services.

### [SB 140 Adult Protective Services Administrative Subpoenas Handout](#)

Danny Harris, Director of Advocacy, American Association of Retired Persons - Utah, spoke in favor of the bill.

**MOTION:** Rep. Eliason moved to pass 1st Substitute S.B. 140 out favorably. The motion passed with a vote of 8 - 3 - 3.

Yeas - 8

Rep. C. Acton  
Rep. S. Barlow  
Rep. J. Dailey-Provost  
Rep. S. Eliason  
Rep. M. Judkins  
Rep. R. Lesser  
Rep. A. Loubet  
Rep. R. Ward

Nays - 3

Rep. S. Gricius  
Rep. T. Jimenez  
Rep. Q. Kotter

Absent - 3

Rep. S. Hollins  
Rep. K. Ivory  
Rep. R. Spendlove

**3. H.B. 431 Advertisement of Personal Care Services (Loubet, A.)**

Rep. Loubet presented the bill with the assistance of David Parks, Hospice and Homecare Association of Utah.

Simon Bolivar, Director, Office of Licensing, Department of Health and Human Services, answered committee questions.

**MOTION:** Rep. Dailey-Provost moved to amend H.B. 431 with Amendment #1. The motion passed with a vote of 10 - 0 - 4.

Amendment 1  
H.B. 431

1. Page 3, Lines 60 through 64:

60 (5) This section does not apply to:

61 (a) a school;

62 (b) a child care provider; or

63 (c) an entity that :

(i) provides personal care services exclusively under contract with the

64 department{-.}; or

(ii) advertises personal care services exclusively on behalf of a licensed health care professional.

Yeas - 10

Rep. C. Acton  
Rep. S. Barlow  
Rep. J. Dailey-Provost  
Rep. S. Eliason  
Rep. S. Gricius  
Rep. T. Jimenez  
Rep. Q. Kotter  
Rep. R. Lesser  
Rep. A. Loubet  
Rep. R. Ward

Nays - 0

Absent - 4

Rep. S. Hollins  
Rep. K. Ivory  
Rep. M. Judkins  
Rep. R. Spendlove

**MOTION:** Rep. Dailey-Provost moved to pass H.B. 431 as amended out favorably. The motion passed with a vote of 9 - 1 - 4.

Yeas - 9

Rep. C. Acton  
Rep. S. Barlow  
Rep. J. Dailey-Provost  
Rep. S. Eliason  
Rep. S. Gricius  
Rep. T. Jimenez  
Rep. Q. Kotter  
Rep. R. Lesser  
Rep. A. Loubet

Nays - 1

Rep. R. Ward

Absent - 4

Rep. S. Hollins  
Rep. K. Ivory  
Rep. M. Judkins  
Rep. R. Spendlove

**4. H.B. 437 Health Services Amendments (Dunnigan, J.)**

Rep. James Dunnigan presented the bill with the assistance of Jennifer Strohecker, Director, Division of Integrated Healthcare, Department of Health and Human Services, and State Medicaid Director.

**MOTION:** Rep. Dailey-Provost moved to pass H.B. 437 out favorably. The motion passed with a vote of 9 - 0 - 5.

Yeas - 9

Rep. C. Acton  
Rep. S. Barlow  
Rep. J. Dailey-Provost  
Rep. S. Eliason  
Rep. S. Gricius  
Rep. T. Jimenez  
Rep. Q. Kotter  
Rep. R. Lesser  
Rep. A. Loubet

Nays - 0

Absent - 5

Rep. S. Hollins  
Rep. K. Ivory  
Rep. M. Judkins  
Rep. R. Spendlove  
Rep. R. Ward

**MOTION:** Rep. Lesser moved to adjourn. The motion passed with a vote of 8 - 0 - 6.

Yeas - 8

Rep. C. Acton  
Rep. S. Barlow  
Rep. J. Dailey-Provost  
Rep. S. Eliason  
Rep. S. Gricius  
Rep. T. Jimenez  
Rep. Q. Kotter  
Rep. R. Lesser

Nays - 0

Absent - 6

Rep. S. Hollins  
Rep. K. Ivory  
Rep. M. Judkins  
Rep. A. Loubet  
Rep. R. Spendlove  
Rep. R. Ward

Chair Acton adjourned the meeting at 5:07 p.m.