



MINUTES

HOUSE BUSINESS AND LABOR STANDING COMMITTEE

Tuesday, February 28, 2023 | 7:00 a.m. | 445 State Capitol

Members Present:

Rep. A. Cory Maloy, Chair
Rep. Stephen L. Whyte, Vice Chair
Rep. Carl R. Albrecht
Rep. Brady Brammer
Rep. Walt Brooks
Rep. Jefferson S. Burton
Rep. James A. Dunnigan
Rep. Jon Hawkins
Rep. Brian S. King

Rep. Ashlee Matthews
Rep. Calvin R. Musselman
Rep. Thomas W. Peterson
Rep. Mike Schultz
Rep. Norman K Thurston
Rep. Ryan D. Wilcox

Staff Present:

Rohnin Randles, Policy Analyst
An Bradshaw, Committee Secretary

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

Chair Maloy called the meeting to order at 7:00 a.m.

MOTION: Rep. Hawkins moved to approve the minutes of February 24, 2023. The motion passed with a vote of 7 - 0 - 8.

Yeas - 7

Rep. C. Albrecht
Rep. W. Brooks
Rep. J. Burton
Rep. J. Hawkins
Rep. A. Maloy
Rep. N. Thurston
Rep. S. Whyte

Nays - 0

Absent - 8

Rep. B. Brammer
Rep. J. Dunnigan
Rep. B. King
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. M. Schultz
Rep. R. Wilcox

1. 1st Sub. S.B. 184 Prescription Cost Amendments (*Bramble, C.*)

Sen. Curtis Bramble presented the bill with the assistance of: Mac Haddow, Rare Access Action Project; Dr. Timothy West, neurologist; and David Young, pharmacist.

Rep. Schultz requested that Stephen Foxley, Regence BlueCross BlueShield of Utah, answer questions from the committee. Rep. Schultz distributed a handout.

[Prescription Cost Amendments](#)

Jennifer Hepworth, mother of a patient, spoke in support of the bill.

Eric Cannon, Select Health, spoke in opposition to the bill.

Craig Estep, father of a patient, spoke in support of the bill.

Kregg Wallace, Motiv Health, spoke in opposition to the bill.

Dana Snyder, mother of a patient, spoke in support of the bill.

Tonya Knell, Pharmaceutical Care Management Association, spoke in opposition to the bill.

Jami Munk Carter, patient, spoke in support of the bill.

Brian Allen, AHIP Insurance Plans, spoke in opposition to the bill.

Kelvyn Cullimore, BioUtah, spoke in support of the bill.

Evelyn Everton, Utah Association of Health Underwriters, spoke in opposition to the bill.

Chet Loftis, Post Employment Health Plan, spoke to the bill.

Rebecca Yates, citizen, spoke in support of the bill.

Barbara Riddle, Chamber West, spoke in opposition to the bill.

Katelin Lacariello, Pharmaceutical and Manufacturers of America, spoke in support of the bill.

MOTION: Rep. Schultz moved to go to the next item on the agenda.

The motion passed with a vote of 13 - 1 - 1.

Yeas - 13

Rep. C. Albrecht
Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. M. Schultz
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Nays - 1

Rep. B. King

Absent - 1

Rep. J. Hawkins

2. S.B. 214 Utah False Claims Act Amendments (Weiler, T.)

Sen. Todd Weiler presented the bill.

MOTION: Rep. Thurston moved to pass S.B. 214 out favorably. The motion passed with a vote of 11 - 1 - 3.

Yeas - 11

Rep. C. Albrecht
Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. N. Thurston

Nays - 1

Rep. R. Wilcox

Absent - 3

Rep. J. Hawkins
Rep. M. Schultz
Rep. S. Whyte

3. 1st Sub. S.B. 215 Insurance Adjuster Claim Amendments (Weiler, T.)

Sen. Weiler presented the bill.

Steve Sullivan, Utah Association for Justice, spoke in support of the bill.

MOTION: Rep. King moved to pass 1st Substitute S.B. 215 out favorably.

SUBSTITUTE MOTION: Rep. Wilcox moved to amend 1st Substitute S.B. 215 with Amendment #1. The substitute motion passed with a vote of 13 - 0 - 2.

Amendment 1
1st Sub. S.B. 215

1. Page 5, Lines 128 through 131:

128 (5) Subsections (2)(d), (e), and (f) do not apply if:

129 (a) the lienholder holds a lien by statute; or

130 (b) the party's claim to entitlement to reimbursement is under a contractual obligation or lien to

131 repay benefits from compensation received from a responsible third party.

Yeas - 13

Rep. C. Albrecht
Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. J. Hawkins
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. N. Thurston
Rep. R. Wilcox

Nays - 0

Absent - 2

Rep. M. Schultz
Rep. S. Whyte

MOTION: Rep. Wilcox moved to pass 1st Substitute S.B. 215 out favorably as amended. The motion passed with a vote of 13 - 0 - 2.

Yeas - 13

Rep. C. Albrecht
Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. J. Hawkins
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. N. Thurston
Rep. R. Wilcox

Nays - 0

Absent - 2

Rep. M. Schultz
Rep. S. Whyte

4. S.B. 217 Children's Health Coverage Amendments (*Escamilla, L.*)

Sen. Luz Escamilla presented the bill.

Neal Davis, pediatrician, spoke in support of the bill.

Kristina Pexton, PTA, spoke in support of the bill.

MOTION: Rep. Dunnigan moved to amend S.B. 217 with Amendment #1. The motion passed with a vote of 13 - 2 - 0.

Amendment 1
S.B. 217

1. Page 3, Lines 60 through 78:

60 (1) (a) [~~A child is eligible to~~] A traditionally eligible child may enroll in the program if
61 the child:

62 [~~(a)~~] (i) is a bona fide Utah resident;

63 [~~(b)~~] (b) is a citizen or legal resident of the United States;

64 [~~(c)~~] (c) is under 19 years of age;

65 [~~(d)~~] (ii) does not have access to or coverage under other health insurance, including
66 any coverage available through a parent or legal guardian's employer;

67 [~~(e)~~] (iii) is ineligible for Medicaid benefits;

68 [~~(f)~~] (iv) resides in a household whose gross family income, as defined by rule, is at or
69 below 200% of the federal poverty level; and

70 [~~(g)~~] (v) is not an inmate of a public institution or a patient in an institution for mental
71 diseases.

72 (b) Subject to Subsection (4)(b), a child who is not a traditionally eligible child may
73 enroll in the program if:

74 (i) the child:

75 (A) has been living in the state for at least ~~{ 90 }~~ 180 days before the day on which the child
76 applies for the program; ~~{ and }~~

77 (B) meets the requirements described in ~~{ Subsection (1)(a) }~~ Subsections (1)(a)(i) through (iii) and (v) ; and
(C) resides in a household whose gross family income, as defined by rule, is at or above 100% of the federal poverty
level and does not exceed 200% of the federal poverty level; and

78 (ii) the child's parent has unsubsidized employment.

Yeas - 13

Rep. C. Albrecht

Rep. W. Brooks

Rep. J. Burton

Rep. J. Dunnigan

Rep. J. Hawkins

Rep. A. Maloy

Rep. A. Matthews

Rep. C. Musselman

Rep. T. Peterson

Rep. M. Schultz

Rep. N. Thurston

Rep. S. Whyte

Rep. R. Wilcox

Nays - 2

Rep. B. Brammer

Rep. B. King

Absent - 0

MOTION: Rep. Matthews moved to pass S.B. 217 out favorably.

SUBSTITUTE MOTION: Rep. Thurston moved to go to the next item on the agenda. The substitute motion failed with a vote of 5 - 10 - 0.

Yeas - 5

Rep. C. Albrecht
Rep. W. Brooks
Rep. A. Maloy
Rep. T. Peterson
Rep. N. Thurston

Nays - 10

Rep. B. Brammer
Rep. J. Burton
Rep. J. Dunnigan
Rep. J. Hawkins
Rep. B. King
Rep. A. Matthews
Rep. C. Musselman
Rep. M. Schultz
Rep. S. Whyte
Rep. R. Wilcox

Absent - 0

The underlying motion passed with a vote of 11 - 4 - 0.

Yeas - 11

Rep. C. Albrecht
Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. B. King
Rep. A. Matthews
Rep. C. Musselman
Rep. M. Schultz
Rep. S. Whyte
Rep. R. Wilcox

Nays - 4

Rep. J. Hawkins
Rep. A. Maloy
Rep. T. Peterson
Rep. N. Thurston

Absent - 0

Rep. Whyte assumed the chair.

5. 2nd Sub. S.B. 96 Fiduciary Duty Modifications (*Wilson, C.*)

Sen. Chris Wilson presented the bill with the assistance of Marlo Oaks, State Treasurer.

Maryann Christensen, Utah Eagle Forum, spoke in support of the bill.

MOTION: Rep. Albrecht moved to pass 2nd Substitute S.B. 96 out favorably. The motion passed with a vote of 12 - 1 - 2.

Yeas - 12

Rep. C. Albrecht
Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. J. Hawkins
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Nays - 1

Rep. B. King

Absent - 2

Rep. A. Maloy
Rep. M. Schultz

6. 2nd Sub. S.B. 97 Public Contract Requirements (*Wilson, C.*)

Sen. Wilson presented the bill with the assistance of Marlo Oaks.

Rep. Maloy resumed the chair.

Nephi Cole, National Shooting Sports Foundation and representing the Utah Shooting Sports Council, spoke in support of the bill.

Maryann Christensen spoke in support of the bill.

Jayrod Garrett, citizen, spoke in opposition to the bill.

Zach Jacob, citizen, spoke in opposition to the bill.

MOTION: Rep. Burton moved to amend 2nd Substitute S.B. 97 with Amendment #2. The motion passed with a vote of 13 - 0 - 2.

Amendment 2
2nd Sub. S.B. 97

- 1. Page 2, Lines 50 through 55:
50 (b) engages in, facilitates, or supports the manufacture, distribution, sale, or use of
51 firearms;
52 (c) ~~{ does not meet or commit to meet corporate board, or employment, composition,~~
53 ~~compensation, or disclosure criteria that incorporates race, color, sex, religion, ancestry, or~~
54 ~~national origin;~~
55 ~~—(d)}~~ does not meet or commit to meet environmental standards, including standards for

- 2. Page 3, Lines 58 through 59:
58 ~~{(e)}~~ (d) does not facilitate or commit to facilitate access to abortion or sex characteristic
59 surgical procedures.

Yeas - 13

Rep. C. Albrecht
Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. J. Hawkins
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Nays - 0

Absent - 2

Rep. B. Brammer
Rep. M. Schultz

MOTION: Rep. Burton moved to pass 2nd Substitute S.B. 97 out favorably as amended. The motion passed with a vote of 11 - 2 - 2.

Yeas - 11

Rep. C. Albrecht
Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. J. Hawkins
Rep. A. Maloy
Rep. C. Musselman
Rep. T. Peterson
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Nays - 2

Rep. B. King
Rep. A. Matthews

Absent - 2

Rep. B. Brammer
Rep. M. Schultz

7. 3rd Sub. S.B. 121 Car-sharing Amendments (McKell, M.)

Sen. Mike McKell presented the bill with the assistance of Rob Jolley, Enterprise Rent-a-Car, and Steve Young, Turo.

Caden Rosenbaum, Libertas Institute, spoke in support of the bill.

MOTION: Rep. Wilcox moved to replace 3rd Substitute S.B. 121 with 4th Substitute S.B. 121. The motion passed with a vote of 11 - 0 - 4.

Yeas - 11

Rep. C. Albrecht
Rep. J. Burton
Rep. J. Dunnigan
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Nays - 0

Absent - 4

Rep. B. Brammer
Rep. W. Brooks
Rep. J. Hawkins
Rep. M. Schultz

MOTION: Rep. Thurston moved to pass 4th Substitute S.B. 121 out favorably. The motion passed with a vote of 11 - 0 - 4.

Yeas - 11

Rep. C. Albrecht
Rep. J. Burton
Rep. J. Dunnigan
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Nays - 0

Absent - 4

Rep. B. Brammer
Rep. W. Brooks
Rep. J. Hawkins
Rep. M. Schultz

8. 1st Sub. S.B. 233 Portable Benefit Plan (Johnson, J.)

Sen. John Johnson presented the bill with the assistance of Caden Rosenbaum.

Heather Andrews, Americans for Prosperity Utah, spoke in support of the bill.

MOTION: Rep. Musselman moved to pass 1st Substitute S.B. 233 out favorably. The motion passed with a vote of 9 - 1 - 5.



Yeas - 9

Rep. C. Albrecht
Rep. J. Dunnigan
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Nays - 1

Rep. B. King

Absent - 5

Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Rep. J. Hawkins
Rep. M. Schultz

MOTION:

Rep. Wilcox beat out Rep. Matthews in making the motion to adjourn. The motion passed with a vote of 10 - 0 - 5.

Yeas - 10

Rep. C. Albrecht
Rep. J. Dunnigan
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Nays - 0

Absent - 5

Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Rep. J. Hawkins
Rep. M. Schultz

Chair Maloy adjourned the meeting at 9:49 a.m.