



MINUTES

SENATE HEALTH AND HUMAN SERVICES STANDING COMMITTEE

LEGISLATURE

Tuesday, February 13, 2024 | 8:00 a.m. | 215 Senate Building

Members Present:

Sen. Michael S. Kennedy, Chair
Sen. Heidi Balderree
Sen. David G. Buxton
Sen. Luz Escamilla
Sen. Jen Plumb

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

Staff Present:

Seth Anderson, Policy Analyst
Jackson Lewis, 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.

MOTION: Senator Plumb moved to approve the minutes from the February 8, 2024, meeting. The motion passed with a vote of 7 - 0 - 0.

Yeas - 7

Nays - 0

Absent - 0

Sen. H. Balderree
Sen. D. Buxton
Sen. L. Escamilla
Sen. M. Kennedy
Sen. J. Plumb
Sen. E. Vickers
Sen. C. Wilson

1. S.B. 207 Pharmacy Practice Act Amendments (Vickers, E.)

Senator Evan Vickers presented the bill.

MOTION: Sen. Escamilla moved to replace S.B. 207 with 1st Substitute S.B. 207. The motion passed with a vote of 7 - 0 - 0.

Yeas - 7

Nays - 0

Absent - 0

Sen. H. Balderree
Sen. D. Buxton
Sen. L. Escamilla
Sen. M. Kennedy
Sen. J. Plumb
Sen. E. Vickers
Sen. C. Wilson

MOTION: Sen. Escamilla moved to pass 1st Substitute S.B. 207 out favorably. The motion passed with a vote of 7 - 0 - 0.



Yeas - 7

Nays - 0

Absent - 0

- Sen. H. Balderree
- Sen. D. Buxton
- Sen. L. Escamilla
- Sen. M. Kennedy
- Sen. J. Plumb
- Sen. E. Vickers
- Sen. C. Wilson

2. S.B. 176 Child Care Services Amendments (Escamilla, L.)

[SB0176-handout](#)

Senator Luz Escamilla presented the bill with handout.

Ginger Chin, Salt Lake Chamber, spoke in favor of the bill.

Linda Smith, representing the League of Women Voters and the Faith and Advocacy Coalition to End Hunger and Homelessness, spoke in favor of the bill.

Bill Tibbits, Deputy Executive Director, Crossroads Urban Center, spoke in favor of the bill.

Brian Garrett, representing the Utah Department of Veterans and Military Affairs and the Utah National Guard, spoke in favor of the bill.

Abby Hunsaker, Unified Economic Opportunity Commission, spoke in favor of the bill.

MOTION: Chair Kennedy moved to replace S.B. 176 with 1st Substitute S.B. 176. The motion passed with a vote of 5 - 0 - 2.

Yeas - 5

Nays - 0

Absent - 2

- Sen. H. Balderree
- Sen. D. Buxton
- Sen. L. Escamilla
- Sen. M. Kennedy
- Sen. J. Plumb

- Sen. E. Vickers
- Sen. C. Wilson

MOTION: Sen. Escamilla moved to pass 1st Substitute S.B. 176 out favorably. The motion passed with a vote of 5 - 0 - 2.

Yeas - 5

Nays - 0

Absent - 2

- Sen. H. Balderree
- Sen. D. Buxton
- Sen. L. Escamilla
- Sen. M. Kennedy
- Sen. J. Plumb

- Sen. E. Vickers
- Sen. C. Wilson

3. 1st Sub. H.B. 128 Tobacco Cessation Amendments (Peterson, T.)

Representative Thomas Peterson presented the bill.

MOTION: Chair Kennedy moved to amend 1st Substitute H.B. 128 with Amendment #1. The motion passed with a vote of 5 - 0 - 2.

Amendment 1
1st Sub. H.B. 0128

1. Page 2, Lines 39 through 45:



- 39 (iv) provides the minor with access to any of the following:
- 40 (A) assessment;
- 41 ~~{(B) phone counseling;}~~
- 42 ~~{(C) (B) web-based resources; or}~~
- 43 ~~{(D) (C) coaching through technology-based communication tools; and}~~
- 44 (v) does not provide:
- 45 (A) any form of nicotine replacement therapy; or

2. Page 2, Lines 46 through 53:

- 46 (B) any other service not described in Subsection (1)(b)(iii) or (iv).
- 47 ~~{(2) A minor may consent to and participate in tobacco and nicotine cessation services~~
- 48 ~~without:~~
- 49 ~~— (a) informing the minor's parent or legal guardian that the minor intends to participate~~
- 50 ~~in a tobacco nicotine cessation service; or~~
- 51 ~~— (b) obtaining consent from the minor's parent or legal guardian to participate in tobacco~~
- 52 ~~and nicotine cessation services.}~~ (2) Consent to tobacco and nicotine cessation services executed by a minor who is or professes to be afflicted with nicotine dependence shall have the same legal effect upon the minor and the same legal obligations with regard to the giving of consent as consent given by an individual of full legal age and capacity.
- (3) A person providing tobacco and nicotine cessation services shall actively encourage a minor to inform the minor's parent or guardian for support.
- (4) Nothing in this section authorizes a violation of Section 53E-9-203.

53 Section 2. Section 78B-3-406 is amended to read:

Yeas - 5
 Sen. H. Balderree
 Sen. D. Buxton
 Sen. L. Escamilla
 Sen. M. Kennedy
 Sen. J. Plumb

Nays - 0

Absent - 2
 Sen. E. Vickers
 Sen. C. Wilson

MOTION: Sen. Escamilla moved to pass 1st Substitute H.B. 128 out favorably. The motion passed with a vote of 4 - 0 - 3.

Yeas - 4
 Sen. H. Balderree
 Sen. L. Escamilla
 Sen. M. Kennedy
 Sen. J. Plumb

Nays - 0

Absent - 3
 Sen. D. Buxton
 Sen. E. Vickers
 Sen. C. Wilson

4. S.B. 212 Substance Use Treatment in Correctional Facilities (Plumb, J.)

Senator Jen Plumb presented the bill.

Elizabeth Klc, Director, Utah Substance Use and Mental Health Advisory Council, spoke in favor of the bill.

MOTION: Sen. Plumb moved to replace S.B. 212 with 1st Substitute S.B. 212. The motion passed with a vote of 4 - 0 - 3.

Yeas - 4
 Sen. H. Balderree
 Sen. L. Escamilla
 Sen. M. Kennedy
 Sen. J. Plumb

Nays - 0

Absent - 3
 Sen. D. Buxton
 Sen. E. Vickers
 Sen. C. Wilson

MOTION: Sen. Plumb moved to pass 1st Substitute S.B. 212 out favorably. The motion passed with a vote of 4 - 0 - 3.



Yeas - 4

Sen. H. Balderree
Sen. L. Escamilla
Sen. M. Kennedy
Sen. J. Plumb

Nays - 0

Absent - 3

Sen. D. Buxton
Sen. E. Vickers
Sen. C. Wilson

5. H.B. 403 Body Art Facility Amendments (*Matthews, A.*)

Senator Karen Kwan presented the bill.

Jordan Mathis, Health Director, Bear River Health Department, spoke in favor of the bill.

MOTION: Sen. Balderree moved to pass H.B. 403 out favorably. The motion passed with a vote of 4 - 0 - 3.

Yeas - 4

Sen. H. Balderree
Sen. L. Escamilla
Sen. M. Kennedy
Sen. J. Plumb

Nays - 0

Absent - 3

Sen. D. Buxton
Sen. E. Vickers
Sen. C. Wilson

6. S.B. 210 Optometrist Practice Amendments (*Bramble, C.*)

Senator Curtis Bramble presented the bill with the assistance of Mark Taylor, Optometrist, Utah Optometric Association.

Darin Cummings, Optometrist, spoke to the bill.

Spencer Johnson, Optometrist, Rocky Mountain University College of Optometry, spoke in favor of the bill.

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

Wendy Parmley spoke in opposition to the bill.

Cameron Martin, President Rocky Mountain University, spoke in favor of the bill.

Dr. Erica Woertz, Ophthalmology Resident, spoke in opposition to the bill.

Weston Barney, Optometrist, Utah Optometric Association, spoke in favor of the bill.

Dr. Sravanthi Vegunta, Ophthalmologist, spoke in opposition to the bill.

Dr. Aaron Smalley, Ophthalmologist, spoke in opposition to the bill.

Ross Chatwin, Optometrist, Utah Optometric Association, spoke in favor of the bill.

Adam Hickenbotham, Optometrist, Rocky Mountain University, spoke to the bill.

Dr. David Dodds, Ophthalmologist, spoke in opposition to the bill.

MOTION: Sen. Balderree moved to pass S.B. 210 out favorably. The motion passed with a vote of 4 - 1 - 2.



Yeas - 4
Sen. H. Balderree
Sen. L. Escamilla
Sen. J. Plumb
Sen. C. Wilson

Nays - 1
Sen. M. Kennedy

Absent - 2
Sen. D. Buxton
Sen. E. Vickers

7. H.C.R. 3 Concurrent Resolution Regarding Child Sexual Abuse Material (Brammer, B.)

Representative Brady Brammer presented the bill.

MOTION: Sen. Escamilla moved to pass H.C.R. 3 out favorably. The motion passed with a vote of 5 - 0 - 2.

Yeas - 5
Sen. H. Balderree
Sen. L. Escamilla
Sen. M. Kennedy
Sen. J. Plumb
Sen. C. Wilson

Nays - 0

Absent - 2
Sen. D. Buxton
Sen. E. Vickers

MOTION: Sen. Escamilla moved to place H.C.R. 3 on the Consent Calendar. The motion passed with a vote of 5 - 0 - 2.

Yeas - 5
Sen. H. Balderree
Sen. L. Escamilla
Sen. M. Kennedy
Sen. J. Plumb
Sen. C. Wilson

Nays - 0

Absent - 2
Sen. D. Buxton
Sen. E. Vickers

MOTION: Sen. Escamilla moved to adjourn. The motion passed with a vote of 5 - 0 - 2.

Yeas - 5
Sen. H. Balderree
Sen. L. Escamilla
Sen. M. Kennedy
Sen. J. Plumb
Sen. C. Wilson

Nays - 0

Absent - 2
Sen. D. Buxton
Sen. E. Vickers

Chair Kennedy adjourns the meeting.