



MINUTES

SENATE HEALTH AND HUMAN SERVICES STANDING COMMITTEE

LEGISLATURE

Tuesday, February 20, 2024 | 8:00 a.m. | 215 Senate Building

Members Present:

Sen. Michael S. Kennedy, Chair
Sen. Heidi Balderree
Sen. Luz Escamilla
Sen. Jen Plumb
Sen. Chris H. Wilson

Members Absent:

Sen. David G. Buxton
Sen. Evan J. Vickers

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: Sen. Balderree moved to accept the minutes from the previous meeting. The motion passed with a vote of 2 - 0 - 5.

Yeas - 2

Sen. H. Balderree
Sen. M. Kennedy

Nays - 0

Absent - 5

Sen. D. Buxton
Sen. L. Escamilla
Sen. J. Plumb
Sen. E. Vickers
Sen. C. Wilson

1. 1st Sub. H.B. 38 Psychotropic Medication Oversight Pilot Program Amendments (*Eliason, S.*)

Representative Steve Eliason presented the bill with the assistance of Brett Peterson, Director, Utah Division of Juvenile Justice Services.

MOTION: Sen. Wilson moved to pass 1st Substitute H.B. 38 out favorably. The motion passed with a vote of 4 - 0 - 3.

Yeas - 4

Sen. H. Balderree
Sen. M. Kennedy
Sen. J. Plumb
Sen. C. Wilson

Nays - 0

Absent - 3

Sen. D. Buxton
Sen. L. Escamilla
Sen. E. Vickers

2. 1st Sub. H.B. 365 Cosmetic Procedure Amendments (*Stenquist, J.*)

Representative Jeffrey Stenquist presented the bill with the assistance of Amy Hawkins, Nurse Practitioner.

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

Matt Brinton spoke to the bill.

Dr. Eric Millican, Dermatologist, spoke to the bill.

MOTION: Chair Kennedy moved to go to the next item on the agenda. 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

3. 2nd Sub. H.B. 298 Homelessness Services Amendments (Clancy, T.)

Representative Tyler Clancy presented the bill with the assistance of Jim Behunin, with handout.

HB0298Handout

Dale Keller, Chair, Solutions Utah, spoke in favor of the bill.

Jennifer Campell, Executive Director, Utah Domestic Violence Coalition, spoke in favor of the bill.

Molly Wheeler, Deputy Director, Utah League of Cities and Towns, spoke in favor of the bill.

Moe Egan, Director of Recruitment, The Other Side Village, spoke in favor of the bill.

Stefanie Jones, Utah Homeless Network Memembr, spoke in favor of the bill.

MOTION: Sen. Wilson moved to replace 2nd Substitute H.B. 298 with 3rd Substitute H.B. 298. 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. Wilson moved to amend 3rd Substitute H.B. 298 with Amendment #2. The motion passed with a vote of 5 - 0 - 2.

Amendment 2
3rd Sub. H.B. 298

- 1. Page 1, Lines 23 through 24:
23 requires the state and local {homelessness} homeless councils to establish goals for making
24 progress towards exiting individuals from homelessness;
2. Page 8, Lines 235 through 241:
235 (2) (a) The board shall consist of the following members:
236 (i) a representative, appointed {jointly} by the speaker of the House of Representatives
237 {and the president of the Senate};
(ii) a representative, appointed by the president of the Senate;
238 {(ii)} (iii) a private sector representative, appointed by the governor;
239 {(iii)} (iv) a representative, appointed by the governor;
240 {(iv)} (v) a statewide philanthropic leader, appointed by the Utah Impact Partnership or the
241 partnership's successor organization;
3. Page 9, Lines 242 through 256:
242 {(v)} (vi) the mayor of Salt Lake City;
243 {(vi)} (vii) the chief executive officer appointed by the Shelter Cities Advisory Council in
244 accordance with Section 35A-16-210;
245 {(vii)} (viii) an elected official appointed by the Utah Association of Counties or the
246 association's successor organization;



247 ~~{(viii)}~~(ix) a county employee who oversees behavioral health, appointed by the Utah
 248 Association of Counties or the association's successor organization;
 249 ~~{(ix)}~~(x) an individual who represents the Utah Homeless Network; and
 250 ~~{(x)}~~(xi) the coordinator.
 251 (b) The governor shall select a board member to serve as chair of the board.
 252 ~~{(c) The member described in Subsection (2)(a)(ix) is a nonvoting board member.}~~
 253 (3) The following four members of the board shall serve as the executive committee:
 254 (a) the coordinator; and
 255 (b) three board members chosen by the board chair, which shall include one of the
 256 members described in Subsection ~~{(2)(a)(v) or}~~ (2)(a)(vi) or (2)(a)(vii).

4. Page 9, Lines 270 through 272:
 270 (i) each appointed member of the board, other than a board member described in
 271 Subsection ~~{(2)(a)(vi)}~~ (2)(a)(vii), shall serve a four-year term; and
 272 (ii) the board member appointed in accordance with Subsection ~~{(2)(a)(vi)}~~ (2)(a)(vii) shall serve a

5. Page 15, Lines 443 through 444:
 443 (c) The Shelter Cities Advisory Board may not appoint the chief executive officer
 444 described in Subsection ~~{35A-16-204(2)(a)(v)}~~ 35A-16-204(2)(a)(vi).

<u>Yeas - 5</u>	<u>Nays - 0</u>	<u>Absent - 2</u>
Sen. H. Balderree		Sen. D. Buxton
Sen. L. Escamilla		Sen. E. Vickers
Sen. M. Kennedy		
Sen. J. Plumb		
Sen. C. Wilson		

MOTION: Sen. Wilson moved to pass 3rd Substitute H.B. 298 out favorably. The motion passed with a vote of 5 - 0 - 2.

<u>Yeas - 5</u>	<u>Nays - 0</u>	<u>Absent - 2</u>
Sen. H. Balderree		Sen. D. Buxton
Sen. L. Escamilla		Sen. E. Vickers
Sen. M. Kennedy		
Sen. J. Plumb		
Sen. C. Wilson		

4. 1st Sub. H.B. 100 Workforce Development Funding Amendments (Dailey-Provost, J.)

Representative Jennifer Dailey-Provost presented the bill.

Kevin Burt, Deputy Director, Department of Workforce Services, spoke in favor of the bill.

MOTION: Chair Kennedy moved to pass 1st Substitute H.B. 100 out favorably. The motion passed with a vote of 5 - 0 - 2.

<u>Yeas - 5</u>	<u>Nays - 0</u>	<u>Absent - 2</u>
Sen. H. Balderree		Sen. D. Buxton
Sen. L. Escamilla		Sen. E. Vickers
Sen. M. Kennedy		
Sen. J. Plumb		
Sen. C. Wilson		

MOTION: Chair Kennedy moved to place 1st Substitute H.B. 100 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

5. H.B. 139 Mental Health Treatment Study (*Judkins, M.*)

Representative Marsha Judkins presented the bill.

Andrew Riggle, Disability Law Center, spoke in favor of the bill.

Kristin Chevrier, Your Health Freedom Utah, spoke to the bill.

MOTION: Sen. Wilson moved to pass H.B. 139 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

Sen. Wilson assumed the chair.

6. 1st Sub. H.B. 377 Podiatrist Practice Amendments (*Cutler, P.*)

Representative Paul Cutler presented the bill with the assistance of Nathan Payne, Podiatrist, with a handout and presentation.

[HB0377handout](#)

[HB0377powerpoint](#)

Michelle McOmber, CEO, Utah Medical Association, spoke in favor of the bill.

MOTION: Sen. Balderree moved to pass 1st Substitute H.B. 377 out favorably. The motion passed with a vote of 4 - 0 - 3.

Yeas - 4

Sen. H. Balderree
Sen. L. Escamilla
Sen. J. Plumb
Sen. C. Wilson

Nays - 0

Absent - 3

Sen. D. Buxton
Sen. M. Kennedy
Sen. E. Vickers

7. 1st Sub. H.B. 389 Medical Cannabis Pharmacy Modifications (*Brooks, W.*)

Representative Walt Brooks presented the bill.

Brandon Forsyth, Director, Medical Cannabis Program, Utah Department of Agriculture and Food, spoke to the bill.

Alex Iorg, WholesomeCo, spoke to the bill.



MOTION: Sen. Balderree moved to amend 1st Substitute H.B. 389 with Amendment #2. The motion passed with a vote of 4 - 0 - 3.

Amendment 2
1st Sub. H.B. 389

1. Page 16, Lines 460 through 463:
460 ~~region to open a closed-door medical cannabis pharmacy in the region;~~
461 ~~(c) ~~{-if-}~~ of the total amount of closed-door medical cannabis pharmacies, may allow only~~
462 ~~three closed-door medical cannabis pharmacies to operate in counties of the first and second~~
463 ~~class as described in Section 17-50-501; and~~

2. Page 16, Lines 482 through 483:
482 ~~(ii) \$2,000,000 in total revenue.~~
(9) Notwithstanding any other provision of this section, the department may issue only three closed-door medical cannabis pharmacy licenses before July 1, 2027.
483 ~~{(9)}~~ (10) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the

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

Nays - 0

Absent - 3
Sen. D. Buxton
Sen. M. Kennedy
Sen. E. Vickers

MOTION: Sen. Escamilla moved to pass 1st Substitute H.B. 389 out favorably. The motion passed with a vote of 4 - 0 - 3.

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

Nays - 0

Absent - 3
Sen. D. Buxton
Sen. M. Kennedy
Sen. E. Vickers

8. 1st Sub. H.B. 365 Cosmetic Procedure Amendments (Stenquist, J.)

Representative Jeffrey Stenquist presented the bill.

MOTION: Sen. Escamilla moved to amend 1st Substitute H.B. 365 with Amendment #1. The motion passed with a vote of 4 - 0 - 3.

Amendment 1
1st Sub. H.B. 0365

1. Page 7, Lines 194 through 196:
194 ~~{(iii) if the evaluation is conducted via telemedicine, ensure that the registered nurse or~~
195 ~~master aesthetician performing the procedure is in-person with the patient during the evaluation~~
196 ~~and the supervisor is on the telemedicine visit at the same time conducting the evaluation;}~~

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

Nays - 0

Absent - 3
Sen. D. Buxton
Sen. M. Kennedy
Sen. E. Vickers

MOTION: Sen. Escamilla moved to pass 1st Substitute H.B. 365 out favorably. The motion passed with a vote of 4 - 0 - 3.



Yeas - 4

Sen. H. Balderree
Sen. L. Escamilla
Sen. J. Plumb
Sen. C. Wilson

Nays - 0

Absent - 3

Sen. D. Buxton
Sen. M. Kennedy
Sen. E. Vickers

MOTION: Sen. Escamilla moved to adjourn. The motion passed with a vote of 4 - 0 - 3.

Yeas - 4

Sen. H. Balderree
Sen. L. Escamilla
Sen. J. Plumb
Sen. C. Wilson

Nays - 0

Absent - 3

Sen. D. Buxton
Sen. M. Kennedy
Sen. E. Vickers

Vice Chair Wilson adjourned the meeting.