



MINUTES

HOUSE HEALTH AND HUMAN SERVICES STANDING COMMITTEE

LEGISLATURE

Tuesday, February 20, 2024 | 4:00 p.m. | 30 House Building

Members Present:

Rep. Ken Ivory, 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. Rosemary T. Lesser

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

Members Absent:

Rep. Cheryl K. Acton, Vice Chair
Rep. Robert M. Spendlove

Staff Present:

Lisa Sorensen, Policy Analyst
Karen C. Allred, Committee Secretary

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

Chair Ivory called the meeting to order at 4:20 p.m.

1. H.B. 199 Child Welfare Revisions (*Watkins, C.*)

Chair Ivory announced that this bill will not be heard today.

2. 2nd Sub. S.B. 27 Behavioral Health System Amendments (*Vickers, E.*)

Sen. Evan Vickers had a handout distributed and presented the bill.

[Health Care Facility Background](#)

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

Michelle McOmber, Chief Executive Officer, Utah Medical Association, spoke in favor of the bill.

MOTION: Rep. Eliason moved to pass 2nd Substitute S.B. 27 out favorably. The motion passed with a vote of 9 - 0 - 5.

Yeas - 9

Rep. J. Dailey-Provost
Rep. S. Eliason
Rep. S. Hollins
Rep. K. Ivory
Rep. T. Jimenez
Rep. M. Judkins
Rep. R. Lesser
Rep. A. Loubet
Rep. R. Ward

Nays - 0

Absent - 5

Rep. C. Acton
Rep. S. Barlow
Rep. S. Gricius
Rep. M. MacPherson
Rep. R. Spendlove

3. H.B. 495 Health Care Facility Background Check Amendments (*Lisonbee, K.*)

Rep. Karianne Lisonbee presented the bill and showed a video, with the assistance of Kellie Bingham.

[Health Care Facility Background](#)

Maryann Martindale, Chief Executive Officer, Utah Academy of Family Physicians, spoke to the bill.

MOTION: Rep. Dailey-Provost moved to replace H.B. 495 with 1st Substitute H.B. 495. The motion passed with a vote of 10 - 0 - 4.

Yeas - 10

Rep. S. Barlow
Rep. J. Dailey-Provost
Rep. S. Eliason
Rep. S. Hollins
Rep. K. Ivory
Rep. T. Jimenez
Rep. M. Judkins
Rep. R. Lesser
Rep. M. MacPherson
Rep. R. Ward

Nays - 0

Absent - 4

Rep. C. Acton
Rep. S. Gricius
Rep. A. Loubet
Rep. R. Spendlove

MOTION: Rep. Dailey-Provost moved to pass 1st Substitute H.B. 495 out favorably. The motion passed with a vote of 10 - 0 - 4.

Yeas - 10

Rep. S. Barlow
Rep. J. Dailey-Provost
Rep. S. Eliason
Rep. S. Hollins
Rep. K. Ivory
Rep. T. Jimenez
Rep. M. Judkins
Rep. R. Lesser
Rep. M. MacPherson
Rep. R. Ward

Nays - 0

Absent - 4

Rep. C. Acton
Rep. S. Gricius
Rep. A. Loubet
Rep. R. Spendlove

MOTION: Rep. Dailey-Provost moved to approve the minutes of the February 12, 2024 meeting. The motion passed with a vote of 10 - 0 - 4.

Yeas - 10

Rep. S. Barlow
Rep. J. Dailey-Provost
Rep. S. Eliason
Rep. S. Hollins
Rep. K. Ivory
Rep. T. Jimenez
Rep. M. Judkins
Rep. R. Lesser
Rep. M. MacPherson
Rep. R. Ward

Nays - 0

Absent - 4

Rep. C. Acton
Rep. S. Gricius
Rep. A. Loubet
Rep. R. Spendlove

4. H.B. 468 Student Health Amendments (*Lesser, R.*)

Rep. Rosemary Lesser presented the bill with the assistance of Courtney Baker, Parent, Weber County.

Elizabeth Converse, Utah School Nurse Association, spoke in favor of the bill.

Janette Fibel, Parent, spoke in favor of the bill.

Amy Knight, Parent, Weber County, spoke in favor of the bill.

Lana Louhinejadian spoke in favor of the bill.

Michelle McOmber, Chief Executive Officer, Utah Medical Association, spoke in favor of the bill.

MOTION: Rep. Hollins moved to pass H.B. 468 out favorably. The motion passed with a vote of 10 - 0 - 4.

Yeas - 10

- Rep. S. Barlow
- Rep. J. Dailey-Provost
- Rep. S. Eliason
- Rep. S. Gricius
- Rep. S. Hollins
- Rep. K. Ivory
- Rep. T. Jimenez
- Rep. R. Lesser
- Rep. M. MacPherson
- Rep. R. Ward

Nays - 0

Absent - 4

- Rep. C. Acton
- Rep. M. Judkins
- Rep. A. Loubet
- Rep. R. Spendlove

5. 3rd Sub. S.B. 61 Electronic Cigarette Amendments (*Plumb, J.*)

Sen. Jennifer Plumb had a handout distributed and presented the bill.

[Electronic Cigarette Amendments Handout](#)

Beau Max, Utah Vapor Business Association, spoke in opposition to the bill.

Whit Cook, Legislative Director, Utah Eagle Forum, spoke in favor of the bill.

Zachary Benson, National Retail Manager, Streamline Group, spoke in opposition to the bill.

Art Brown, Youth Committee of Prevention of E-Cigarettes, spoke in favor of the bill.

Benjamin Dyer, Utah Vapor Business Association, spoke in opposition to the bill.

Dave Davis, President, Utah Retail Merchants Association, spoke in favor of the bill.

Juan Bravo, Utah Vapor Business Association, spoke in opposition to the bill.

Walter Plumb III, President, Drug Safe Utah, spoke in favor of the bill and distributed a handout.

[E Cigarette's, Walter's Handout](#)

Michele McOmber, Chief Executive Officer, Utah Medical Association, spoke in favor of the bill.

Rena Rogers, Citizen, spoke in opposition to the bill.

MOTION: Rep. Ward moved to amend 3rd Substitute S.B. 61 with Amendment #1. The motion passed with a vote of 10 - 0 - 4.

Amendment 1
3rd Sub. S.B. 61

1. Page 12, Lines 349 through 351:

349 (1) (a) A local health department may examine the books, papers, and records of any
350 { ~~distributor, wholesaler, or dealer~~ } retailer in this state, for the purpose of determining compliance with
351 Section 59-14-810.

2. Page 12, Lines 356 through 357:

356 (c) Unannounced follow-up examinations of all ~~{noncompliant distributors;~~
357 ~~wholesalers, and}~~ retailers are required within 30 days after any violation of Section 59-14-810.

3. Page 12, Lines 361 through 362:

361 is declared to be a contraband good and shall be immediately embargoed by a local health department.
362 (f) An electronic cigarette product described in Subsection (1)(e) may be ~~{seized}~~ embargoed

4. Page 13, Lines 367 through 368:

367 (g) The cost of ~~{such seizure, forfeiture,}~~ embargoing and destruction shall be borne by the ~~{person~~
368 ~~from whom the products are confiscated}~~ retailer.

5. Page 13, Lines 369 through 370:

369 (h) In an action brought under this section, a local health department may recover
370 reasonable expenses incurred in investigating and preparing the case and attorney fees.
(i) A retailer shall remove any embargoed electronic cigarette product from the retailer's active inventory and work with the wholesaler or distributor to return or dispose the electronic cigarette product.

6. Page 13, Line 378:

378 Commission regarding violations of Section 59-14-810.
(3) A monetary penalty assessed to a retailer by a local health department under this section shall be doubled if the retailer fails to provide documentation establishing a clear chain of custody back to the manufacturer.

Yeas - 10

Rep. S. Barlow
Rep. J. Dailey-Provost
Rep. S. Eliason
Rep. S. Hollins
Rep. K. Ivory
Rep. T. Jimenez
Rep. M. Judkins
Rep. R. Lesser
Rep. M. MacPherson
Rep. R. Ward

Nays - 0

Absent - 4

Rep. C. Acton
Rep. S. Gricius
Rep. A. Loubet
Rep. R. Spendlove

MOTION: Rep. Dailey-Provost moved to pass 3rd Substitute S.B. 61 out favorably. The motion passed with a vote of 9 - 1 - 4.

Yeas - 9

Rep. S. Barlow
Rep. J. Dailey-Provost
Rep. S. Eliason
Rep. S. Hollins
Rep. K. Ivory
Rep. T. Jimenez
Rep. M. Judkins
Rep. R. Lesser
Rep. R. Ward

Nays - 1

Rep. M. MacPherson

Absent - 4

Rep. C. Acton
Rep. S. Gricius
Rep. A. Loubet
Rep. R. Spendlove

MOTION: Rep. Eliason moved to adjourn. The motion passed with a vote of 10 - 0 - 4.



Yeas - 10

- Rep. S. Barlow
- Rep. J. Dailey-Provost
- Rep. S. Eliason
- Rep. S. Hollins
- Rep. K. Ivory
- Rep. T. Jimenez
- Rep. M. Judkins
- Rep. R. Lesser
- Rep. M. MacPherson
- Rep. R. Ward

Nays - 0

Absent - 4

- Rep. C. Acton
- Rep. S. Gricius
- Rep. A. Loubet
- Rep. R. Spendlove

Chair Ivory adjourned the meeting at 6:15 p.m.

NOTE: S.B. 0060, 02nd Substitute S.B. 0141 were not discussed in the meeting.