

**MINUTES OF THE  
HEALTH AND HUMAN SERVICES STANDING COMMITTEE  
ROOM 225, STATE CAPITOL BUILDING**

January 24, 2002

MEMBERS PRESENT:           Rep. Carl R. Saunders, Chair  
                                  Rep. Rebecca Lockhart, Vice Chair  
                                  Rep. Patrice M. Arent  
                                  Rep. Trisha S. Beck  
                                  Rep. Glenn A. Donnelson  
                                  Rep. Wayne A. Harper  
                                  Rep. Steven R. Mascaro  
                                  Rep. Patricia W. Jones  
                                  Rep. David Litvack  
                                  Rep. Paul Ray  
                                  Rep. Mike Thompson  
                                  Rep. Glenn L. Way

STAFF PRESENT:             Mark Andrews, Research Analyst  
                                  Betty M. Bushman, House Secretary

OTHERS PRESENT:           (List of visitors on file)

Vice Chair Lockhart called the meeting to order at 8:08 a.m.

**MOTION:** Representative Saunders moved to approve the minutes of the January 22, 2002 committee meeting. The motion passed unanimously with Representative Harper absent for the vote.

**H.B. 112    Health Care Malpractice Act Amendments** (*K. Garn*)

Representative Garn presented the bill to the committee with proposed amendments.

**MOTION:** Representative Donnelson moved to amend the bill as follows:

1.   Page 2, Line 36:    After "(11)" delete "(a)"
2.   Page 2, Line 37:    After "facilities," delete "residential-"
3.   Page 2, Line 38:    After "care facilities," insert "health care"

4. Page 2, Lines 39 - 42: After "organizations," insert "and" and after "disease facilities" insert ":" and delete the rest of line 39 and all of lines 40 through 42.

The motion passed unanimously with Representative Harper and Representative Ray absent for the vote.

Representative Garn explained the bill to the committee.

Mr. Bill Peterson, Utah Health Care Association, Mr. Chet Loftis, General Counsel - Utah Medical Association, Mr. Brian Miller, Attorney, Mr. David Gessel, Utah Hospital Association, and Mr. Kelly Atkinson, Executive Director - Utah Health Insurance Association, spoke in support of the bill.

Speaking in opposition to the bill was Ms. Ruth Lybbert, President - Utah Trial Lawyers Association.

Representative Lockhart declared a conflict of interest with the bill.

**MOTION:** Representative Way moved to pass the bill out favorably as amended. The motion passed unanimously with Representative Harper and Representative Ray absent for the vote.

**H.J.R. 10 Resolution Urging Federal Constitutional Amendment to Protect the Life of the Unborn** (*G. Way*)

Representative Way explained the bill, which had been introduced to the committee in the meeting of January 22, 2002.

Speaking in opposition to the bill were Ms. Karri Galloway, President - Planned Parenthood of Utah, and Ms. Bev Cooper, Utahns for Choice, who distributed a handout.

Ms. Gayle Ruzicka, Utah Eagle Forum, spoke in support of the bill and distributed a handout.

**MOTION:** Representative Ray moved to pass the bill out favorably. The motion passed with Representative Arent, Representative Beck, Representative Jones, and Representative Litvack voting no.

**1<sup>st</sup> Sub H.B. 25 Adult Protective Services Amendments** (*P. Jones*)

Representative Jones presented the bill and proposed amendments.

**MOTION:** Representative Jones moved to amend the bill as follows:

1. Page 4, Line 114: Add comma after "medical"
2. Page 5, Line 128: Place quotation marks before and after "Physical injury"
3. Page 7, Line 203: Add comma after "neglect"
4. Page 11, Line 322: After "office." at the beginning of the line delete "and county or district attorney's office."
5. Page 19, Line 565: Bracket "subsection" and insert "Subsection (20)"

The motion passed unanimously with Representative Ray and Representative Way absent for the vote.

Representative Jones explained the bill to the committee with the assistance of Mr. Ron Stromberg, Division of Aging and Adult Services - Department of Health.

Mr. Jim Kessler, American Association of Retired Persons, spoke in support of the bill.

**MOTION:** Representative Thompson moved to pass the bill out favorably as amended. The motion passed unanimously with Representative Way absent for the vote.

**H.B. 251 Funding of State and County Health and Human Services Legislative Task Force** (*J. Seitz*)

Representative Seitz presented the bill to the committee and proposed amendments.

**MOTION:** Representative Ray moved to amend the bill as follows:

1. Page 1, Line 16: After "following" delete "eight" and insert "ten"
2. Page 1, Line 18: After "party;" delete "and"
3. Page 1, Line 20: After "party" insert "; and (c) two members representing Utah counties, appointed by the Utah Association of Counties"

4. Page 1, Lines 25 - 26: After "(3)" delete the rest of line 25 and line 26 and insert "(a) A majority of the members of the task force constitutes a quorum.  
(b) The action of a majority of the quorum constitutes an action of the task force."
5. Page 1, Line 27: After "(4)" insert "(a)" and after "of the" insert "legislative"
6. Page 2, Line 28: After line 28 insert "(b) Members of the task force who are not legislators receive no compensation for their work associated with the task force."

The motion passed with Representative Lockhart voting no. Representative Harper and Representative Way were absent for the vote.

Representative Seitz explained the bill to the committee with the assistance of Mr. Mark O. Walsh, Utah Association of Counties.

Mr. Phil Wright, Local Health Officer - Wasatch County, and Mr. John Tanner, Director - Utah Behavioral Healthcare Network, spoke in support of the bill.

**MOTION:** Representative Saunders moved to pass the bill out favorably as amended. The motion passed with Representative Thompson voting no. Representative Harper and Representative Way were absent for the vote.

**MOTION:** Representative Saunders moved to adjourn the meeting. The motion passed unanimously with Representative Harper and Representative Way absent for the vote.

Vice Chair Lockhart adjourned the meeting at 9:55 a.m.

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Rep. Carl R. Saunders  
Committee Chair