

**MINUTES OF THE SENATE BUSINESS & LABOR
STANDING COMMITTEE
FRIDAY, FEBRUARY 14, 2003, 2:00 P.M.
ROOM 403, STATE CAPITOL BUILDING**

Members Present: Sen. Parley G. Hellewell, Chair
 Sen. Curtis Bramble
 Sen. Gene Davis
 Sen. Dan Eastman
 Sen. Thomas V. Hatch
 Sen. Ed Mayne
 Sen. Michael Waddoups
 Sen. Carlene M. Walker

Staff Present: Mary Catherine Perry, Policy Analyst
 Karen Allred, Committee Secretary

Visitors list on file

Sen. Bramble assumed the Chair and called the meeting to order at 2:15 p.m.

MOTION: Sen. Eastman moved to approve the minutes of Feb. 11 and 13, 2003.

The motion passed with Sens. Hatch, Walker, Davis and Mayne absent for the vote.

MOTION: Sen. Hellewell moved to adopt 2nd Sub. S.B. 137.

The motion passed with Sens. Hatch, Walker, Davis and Mayne absent for the vote.

1. 1st Sub. H.B. 5 Prohibition of Coercive Restraint Practices (M. Thompson)

Rep. Thompson explained the bill.

Sue Middleton, Pres., Utah Chapter, National Association of Social Workers; R. Christopher Barden, Ph.D., J.D., Attorney, National Assoc. for Consumer Protection in Mental Health; and Doug Goldsmith, Exec. Dir., Children's Center; and Chris Wehl, Legislative Chair, Utah Psychological Assn., spoke in support of the bill.

MOTION: Sen. Davis moved to reserve 3 minutes for Dr. Richard Ferre, Primary Children's Medical Center, to speak.

Committee discussion followed.

MOTION: Sen. Davis moved to extend time to finish the discussion of Sen. Hellewell and Rep. Thompson.

The motion passed unanimously.

2. **2nd Sub. S.B. 137 Regulation of Coercive Restraint Practices** (*P. Hellewell*)

Sen. Hellewell explained the bill.

Scott Richards, Ph.D., Psychology, Fellow, Am. Psychological Association, BYU Professor; Floyd Anderson, Ph.D., Psychology, N.Y. Professor, five universities; and Judge Terry Kent Brewer, Arizona, adoptive parent of five children from Russia, spoke in support of the bill.

The sponsors of the bills answered questions from the committee. Rep. Thompson, sponsoring **1st Sub. H.B. 5**, was assisted by Richard Ferre, Child Psychiatrist, Primary Children's Medical Center. Sen. Hellewell, sponsoring **2nd Sub. S.B. 137**, was assisted by Lawrence Van Bloem, Licensed Clinical Social Worker, owner, Cascade Center.

The following participants from the audience spoke in support of **1st Sub. H.B. 5**: Mary Noonan, Div. Chief, Child Protection Div.; Barbara Feaster, Founding Member, Foster Success; Donald Tibbets, adoptive father; Mary Lou Dixon, adoptive parent; Randy Pennington, Psychology Resident/Adoption Specialist, Wasatch Mental Health; Cheryl Haws, Social Work Student; and Larry Sarner, National Therapeutic Touch Study Group.

Those from the audience speaking in support of **2nd Sub. S.B. 137** were: Jenny Dew, mother of Reactive Attachment Disorder children; Kristi Hutchings, foster parent; Janet Worthington, parent and participant in Attachment Therapy at Cascade Center; Johanna Everett, patient of holding therapy; Kim Lang, adoptive parent of child with Reactive Attachment Disorder; Roxanne Jarvis, sister to and parent of children with R.A.D.; Kim Hompstead, parent of child with R.A.D.; and Robert Worthington, patient, R.A.D. holding therapy.

MOTION: Sen. Davis moved to pass **1st Sub. H.B. 5** out favorably.

The motion failed with Sens. Bramble, Waddoups, Hatch and Hellewell voting in opposition.

MOTION: Sen. Davis moved to adjourn.

The motion failed with Sens. Eastman, Waddoups, Walker and Hellewell voting in opposition.

MOTION: Sen Hellewell moved to pass 2nd Sub. S.B. 137 out favorably.

Craig Jackson and W. Ray Walker, DOPL, spoke to the bill.

SUB. MOTION: Sen. Waddoups moved to adjourn.

The motion passed unanimously.

Acting Committee Chair Bramble adjourned the meeting at 4:35 p.m.

Sen. Parley G. Hellewell, Committee Chair
Sen. Curtis S. Bramble, Acting Committee Chair
Acting Committee Chair