

**MINUTES OF THE SENATE BUSINESS & LABOR
STANDING COMMITTEE
TUESDAY, JANUARY 27, 2005, 8:00 A.M.
ROOM 135, WEST OFFICE BUILDING
STATE CAPITOL COMPLEX**

Members Present: Sen. Scott K. Jenkins, Chair
Sen. Gene Davis
Sen. Thomas V. Hatch
Sen. Parley G. Hellewell
Sen. John W. Hickman
Sen. Sheldon L. Killpack
Sen. L. Alma Mansell
Sen. Ed Mayne
Sen. Michael Waddoups

Staff Present: Mark Steinagel, Policy Analyst
Karen Allred, Committee Secretary

Public Speakers Present: Gary Wise, State Fire Marshall
Wendell Gibby, M.D., Radiologist
Elizabeth "Betsy" Johnson, Department of Insurance, Kentucky
Kelly Atkinson, Executive Director, Utah Health Insurance
Association
Rick Martin, citizen
Steve Lamb, M.D., Obstetrician, Gynecologist
Carla Christensen, patient
Shannon Hart, patient
Laura Polacheck, Associate State Director, AARP Utah
Jonathan H. Horne, M.D., Orthopedic Surgeon
Mark Mariani, M.D., President, Orthopedic Society of Utah
Tim Nelson, patient
Paul Winterton, M.D., Orthopedic Surgeon, Utah Medical Association
Tom Bingham, President, Utah Manufacturers Association
Karen Crompton, Executive Director, Voices for Utah Children
Myrna Warnick, citizen
Vic Petersen, Legislative Chair, Utah Association of Health
Underwriters
Ron Casper, Director, National Federation of Independent Businesses
Ross Fulton, citizen.
Kirk Olsen, Chief Executive Officer, Molina Health Care
Paul Gottfredson, citizen
Jay Lighthall, Utah Ambulatory Surgery Center Association

A list of visitors and a copy of handouts are filed with the committee minutes.

Committee Chair Jenkins called the meeting to order at 8:05 a.m.

MOTION: Sen. Hickman moved to adopt the minutes of January 25, 2005.

The motion passed unanimously with Sen. Mansell, Sen. Waddoups, Sen. Davis and Sen. Mayne absent for the vote.

1. **H.B. 52 Fire Prevention Amendments** (*J. Murray*)

Rep. Murray explained the bill assisted by Gary Wise, State Fire Marshall.

MOTION: Sen. Hickman moved to pass the bill out favorably.

The motion passed unanimously with Sen. Waddoups, Sen. Davis and Sen. Mayne absent for the vote.

2. **S.B. 34 Patient Access Reform** (*P. Hellewell*)

MOTION: Sen. Hellewell moved to adopt **2nd Sub. S.B. 34** (*D. C. Buttars*)

The motion passed unanimously with Sen. Waddoups and Sen. Davis absent for the vote.

Sen. Buttars explained the bill.

Wendell Gibby, M. D., Radiologist, further clarified the bill.

Elizabeth "Betsy" Johnson, Kentucky Insurance Department, testified by way of a live phone message in support of the bill.

Kelly Atkinson, Executive Director, Utah Health Insurance Association explained the Insurance Industry's opposition to the bill.

Speaking in support of the bill were: Steve Lamb, M.D., Obstetrician, Gynecologist; Carla Christensen, patient; Shannon Hart, patient; Laura Polacheck, Associate State Director, AARP Utah; Jonathan H. Horne, M.D., Orthopedic Surgeon; Mark Mariani, M.D., President, Orthopedic Society of Utah; Tim Nelson, cancer patient, and Paul Winterton, M.D., Orthopedic Surgeon.

Speaking in opposition to the bill were: Rick Martin, citizen; Tom Bingham, President, Utah Manufacturers Association; Karen Crompton, Executive Director, Voices for Utah Children; Myrna Warnick, citizen; Vic Petersen, Legislative Chair, Utah Association of Health Underwriters; Ron Casper, Director, National Federation of Independent Businesses; Ross Fulton, citizen, and Kirk Olsen, Chief Executive Officer, Molina Health Care.

Sen. Buttars, Kelly Atkinson, Utah Health Insurance Association, and Jay Lighthall, Utah Ambulatory Surgery Center Association, responded to questions from the Committee.

MOTION: Sen. Hickman moved to hold the bill in Committee until the Fiscal Note is ready.

SUBSTITUTE MOTION: Sen. Hellewell moved to pass the bill out favorably.

The motion passed with Sen. Jenkins, Sen. Hellewell, Sen. Killpack, Sen. Waddoups, Sen. Davis and Sen. Mayne voting in favor of the bill and Sen. Hatch, Sen. Hickman and Sen. Mansell voting in opposition to the bill.

MOTION: Sen Mansell moved to adjourn.

The motion passed at 10:15 a.m.

Sen. Scott K. Jenkins, Chair