

**MINUTES OF THE SENATE HEALTH AND HUMAN SERVICES
STANDING COMMITTEE
JANUARY 27, 2005
ROOM W020, WEST OFFICE BUILDING, STATE CAPITOL COMPLEX**

Members Present: Sen. Allen Christensen, Chair
Sen. Ron Allen
Sen. Gregory Bell
Sen. Peter Knudson

Member Excused: President John Valentine
Sen. Paula Julander

Staff Present: Mark Andrews, Policy Analyst
Nedra Duzett, Secretary

Public Speakers Present: Clark Newham, Lawyer/Doctor
David Gessell
Gar Elison, Director, Utah Medical Education Council
Emma Chacon, Director, Office of Recovery Services
Brian King, Attorney, Utah Trial Lawyer's Assn.
Mike Weibel, Director, Cache County Medical Rescue Corps.
Mark May, Attorney General's Office

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

Committee Chair Christensen called the meeting to order at 8:10 a.m.

MOTION: Sen. Bell moved to approve the minutes of the Jan. 25, 2005 meeting.

The motion passed unanimously.

Sen. Bell assumed the Committee Chair.

1. S.B. 132 Health Care Consumer's Report (A. Christensen)

Sen. Christensen explained the bill.

Clark Newhall, Lawyer/Doctor, gave comments on the bill and spoke in favor.

David Gessell spoke in opposition to the bill.

MOTION: Sen. Knudson moved to go to the next item on the agenda.

The motion passed unanimously.

2. S.B. 119 Rural Medical Residency Training Programs (P. Knudson)

Sen. Knudson explained the bill.

Gar Elison, Director, Utah Medical Education Council, spoke favorably on the bill.

MOTION: Sen. Allen moved to pass the bill out of committee with a favorable recommendation.

The motion passed unanimously. Absent for the vote were: Sen. P. Julander and Sen. J. Valentine.

3. S.B. 126 Medical Benefits Recovery Act Amendments (S. Killpack)

Sen. Killpack explained the bill.

Emma Chacon, Director, Office of Recovery Services, spoke in favor of the bill and explained an amendment to the bill.

Brian King, Attorney, Utah Trial Lawyer's Assn. spoke in support of the bill.

MOTION: Sen. Allen moved to amend the bill as follows:

1. Page 6, Lines 166 through 179:

166 (b) The department shall provide the recipient's attorney the opportunity to enter
into a

167 collection agreement with the department, with the recipient's consent, unless:

** * * Some lines not shown * * **

172 (ii) there has been a failure by the recipient's attorney to comply with any provision
of

173 this section by:

174 (A) failing to comply with the notice provisions of this section;

175 (B) failing or refusing to enter into a collection agreement;

176 (C) failing to comply with the terms of { any previous } a collection
agreement with the

177 department; or
178 (D) failing to disburse funds owed to the state in accordance with this section ~~{in~~
179 ~~previous collection agreements with the department~~ } .

2. *Page 7, Lines 198 through 199:*

198 (ii) any ~~{medical}~~ medical costs for which the department is obligated to
provide medical
199 assistance.

MOTION: Sen. Bell moved that the committee adopt the amendment to S.B. 126.

The motion passed unanimously. Absent for the vote were: Sen. P. Julander, Sen. P. Knudson and Sen. J. Valentine.

MOTION: Sen. Bell moved to pass the bill out of committee with a favorable recommendation.

The motion passed unanimously. Absent for the vote were: Sen. P. Julander, Sen. P. Knudson and Sen. J. Valentine.

4. **H.B. 008 Child Protection Team Meetings** (A. Tilton)

Rep. Tilton explained the bill.

Sen. Madsen spoke in support of the bill.

Mark May, Attorney General's Office spoke in support of the bill.

MOTION: Sen. Allen moved to pass the bill out of committee with a favorable recommendation.

The motion passed unanimously. Absent for the vote were: Sen. P. Julander, Sen. P. Knudson and Sen. J. Valentine.

5. **S.B. 19 Disease Testing of Individuals Exposed to Blood Borne Pathogens**

(P. Julander)

This item was not considered.

6. **S.B. 111 Amendments Prohibiting Health Insurance Discrimination** (P. Julander)

This item was not considered.

7. **S.B. 74 Medical Reserve Corps** (L. Hillyard)

Sen. Hillyard introduced Mike Weibel, Director, Cache County Medical Rescue Corps., who explained the bill.

MOTION: Sen. Allen moved to pass the bill out of committee with a favorable recommendation.

The motion passed unanimously. Absent for the vote were: Sen. G. Bell, Sen. P. Julander, Sen. P. Knudson and Sen. J. Valentine.

MOTION: Sen. Allen moved to adjourn.

Committee Chair Christensen adjourned the meeting at 9:05 a.m.

Minutes reported by Nedra Duzett, Secretary

Sen. Allen Christensen, Committee Chair