

**MINUTES OF THE SENATE HEALTH AND HUMAN SERVICES
STANDING COMMITTEE
JANUARY 18, 2007
ROOM W020, WEST OFFICE BUILDING, STATE CAPITOL COMPLEX**

Members Present: Sen. D. Chris Buttars, Chair
Sen. Allen M. Christensen
Sen. Brent H. Goodfellow
Sen. Peter C. Knudson
Sen. Scott D. McCoy

Staff Present: Mark D. Andrews, Policy Analyst
Nedra B. Duzett, Secretary

Public Speakers Present: Karen Silver, Advocate, Salt Lake Community Action Program
Tracy Graham, Deputy Director, Office of Recovery Services
Mark Brasher, Director, Office of Recovery Services
Ben Tanner, Huntsman Cancer Institute
Dr. Charles Harpe
Lew Garrett, Davis County Health
Lloyd Berentzen, Director, Bear River Health Dept.
Dr. David Sundwall, Executive Director, Utah Dept. of Health
Michelle McOmer, Utah Medical Assn.
Rhonda Rose, Utah PTA

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

The meeting was called to order at 8:35 a.m. by Sen. Christensen. Committee Chair Buttars was unavoidably delayed. Sen. McCoy assumed the Chair while Sen. Christensen introduced S.B. 104.

1. S.B. 104 Office of Recovery Services Fee (A. Christensen)

Sen. Christensen introduced Tracy Graham, Deputy Director, Office of Recovery Services. Mr. Graham explained and spoke in support of the bill.

Chair Buttars assumed the chair.

Karen Silver, Advocate, Salt Lake Community Action Program, spoke in opposition to the bill.

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

The motion passed unanimously.

2. S.B. 117 Medicaid Recovery Amendments (A. Christensen)

MOTION: Sen. Christensen moved to pass the following amendment:

1. *Page 5, Lines 134 through 140:*

134 (1) (a) [~~Am~~] Subject to Subsection (6), action commenced by the department {~~, or~~
the
135 Office of Recovery Services on behalf of the department,} under this chapter against
a health
136 insurance [~~carrier or employee welfare benefit plan~~] entity must be commenced within:
137 [(i) ~~two years after the date of the injury or onset of the illness, or~~]
138 (i) subject to Subsection (7), six years after the day on which the department {~~or~~
the
139 Office of Recovery Services} submits the claim for recovery or payment for the health
care item
140 or service upon which the action is based; or

The motion passed unanimously.

Mark Brasher, Director, Office of Recovery Services, spoke in support of the bill.

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

The motion passed unanimously.

3. **S.B. 45 Nursing Amendments** (*P. Knudson*)

The bill was not heard.

4. **S.B. 46 Health Care Amendments** (*P. Knudson*)

Sen. Knudson explained the bill.

MOTION: Sen. Knudson moved to adopt the following amendment to the bill.

1. *Page 1, Line 14:*

14 • the Medical Reserve {~~Corp~~} Corps ;

2. *Page 2, Line 41:*

41 (a) the Medical Reserve {~~Corp~~} Corps authorized by Section 26A-1-126;

The motion passed unanimously.

The following individuals spoke in support of the bill:

Dr. David Sundwall, Executive Director, Utah Dept. of Health
Phil Wright, Wasatch County Health Dept.
Michelle McOmber, Utah Medical Assn.
Dave Gessell, UHA: Hospitals and Health Systems Assn.

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

The motion passed unanimously.

5. **S.B. 107 Notice of Available Charity Care** (M. Waddoups)

This bill was not heard.

6. **S.B. 124 Dental Hygienist Licensing Act Amendments** (M. Waddoups)

This bill was not heard.

7. **S.B. 52 Health Regulations for Public Indoor Tanning Beds** (P. Jones)

Sen. Jones presented the bill.

MOTION: Sen. Goodfellow moved to adopt the following amendment to the bill.

1. Page 3, Lines 74 through 78:

74 (4) It is unlawful for any operator of a tanning facility to allow a person younger than
75 18 years old to use a tanning device unless the minor's parent or legal guardian:
76 (a) appears in person at the tanning facility ~~{each time}~~ **the first time that**
the minor uses a tanning device **, and at least once each 12 month period thereafter in**
which the minor uses the tanning device ;
77 and
78 (b) signs the consent form required in Subsection (5).

2. Page 3, Lines 82 through 85:

82 (b) if the individual using the tanning device is a minor, a statement that:
83 (i) the parent or legal guardian of the minor has read and understood the warnings
84 given by the tanning facility, and consents to the minor's use of a tanning device;

~~{and}~~

- 85 (ii) the parent or legal guardian agrees that the minor will use protective eye wear ;
and
(iii) includes the number of tanning sessions within the 12 month period of time
the parent is authorizing for the minor .

3. *Page 3, Line 88:*

- 88 (b) may result in the revocation of a permit to do business as a tanning facility. =
(7) This section supercedes any ordinance enacted by the governing body of a
political subdivision that imposes restrictions on access to a tanning device by a
person younger than age 18 that is not essentially identical to the provisions of this
section.

The motion passed unanimously.

Lew Garrett, Director, Davis County Health Dept., explained the need for the legislation and spoke in support of the bill.

The following individuals also spoke in support of the bill.

Ben Tanner, Huntsman Cancer Institute
Dr. Charles Harpe, member Davis Board of Health
Michelle McOmber, Utah Medical Assn.
Rhonda Rose, Utah PTA

MOTION: Sen. Goodfellow moved to pass the bill out favorably as amended.

The motion passed unanimously with Sen. Knudson absent at the time of voting.

Sen. Buttars adjourned the meeting at 9:40 a.m.

Minutes recorded by Nedra Duzett.

Sen. D. Chris Buttars, Committee Chair