

**MINUTES OF THE  
HOUSE HEALTH AND HUMAN SERVICES STANDING COMMITTEE  
ROOM W125, WEST OFFICE BUILDING, STATE CAPITOL COMPLEX  
January 29, 2008**

MEMBERS PRESENT:     Rep. Paul Ray, Chair  
                            Rep. Ronda R. Menlove, Vice Chair  
                            Rep. John Dougall  
                            Rep. Richard A. Greenwood  
                            Rep. David Litvack  
                            Rep. Phil Riesen  
                            Rep. Stephen E. Sandstrom

MEMBERS ABSENT:     Rep. Wayne A. Harper

STAFF PRESENT:       Mark Andrews, Policy Analyst  
                            Sylvia Newton, House Secretary  
                            Tom Vaughn, Legislative General Counsel

**Note:**    A list of visitors and copy of handouts are filed with committee minutes.

Rep. Ray called the meeting to order at 8:22 a.m.

MOTION:   Rep. Riesen moved to approve the minutes of the January 25, 2008 meeting. The motion passed unanimously with Rep. Litvack and Rep. Menlove absent for the vote.

**H.B. 119    Controlled Substance Database Amendments    (Rep. B. Daw)**

MOTION:   Rep. Dougall moved to delete in title and body H.B. 119 and replace it with 1st Substitute H.B. 119. The motion passed unanimously with Rep. Litvack and Rep. Menlove absent for the vote.

Rep. Daw explained the changes in the substitute bill.

Spoke to the bill:     Jim Olsen, President, Utah Retail Merchants Association  
                            Reid Barker, Utah Pharmacists Association  
                            Erin Johnson, Department of Health   (handout)

MOTION:   Rep. Riesen moved to pass 1st Substitute H.B. 119 out favorably. The motion passed unanimously with Rep. Litvack and Rep. Menlove absent for the vote.

**H.B. 101 Amendments to Emergency Injection for Anaphylactic Reaction Act (Rep. T. Kiser)**

Rep. Kiser presented H.B. 101 to the committee.

MOTION: Rep. Dougall moved to amend the bill as follows:

1. *Page 1, Line 15:*

15 school may not prohibit or dissuade a teacher or other school employee from receiving training to administer,

2. *Page 1, Line 18:*

18 epinephrine auto-injector available to any teacher or other school employee who is employed at the school {~~who~~} and is

3. *Page 1, Line 21:*

21 the storage and use of an epinephrine auto-injector, to a teacher or other school employee who volunteers to

4. *Page 3, Line 70:*

70 (3) A school, school board, or school official may not prohibit or dissuade a teacher or other school employee at

5. *Page 3, Line 74:*

74 (i) the teacher or school employee is a qualified adult; and

6. *Page 3, Line 78:*

78 (i) the teacher or school employee is a qualified adult; and

7. *Page 3, Line 81:*

81 (4) A school, school board, or school official may encourage a teacher or other school employee to volunteer to

8. *Page 3, Lines 84 through 85:*

84 make an emergency epinephrine auto-injector available to any teacher or other school employee who:

85            (i) is employed at the school ; and  
              (ii) is ~~{who is}~~ a qualified adult.

9. Page 3, Line 88:

88 quickly accessed by a teacher or other school employee, who is a qualified adult .  
in the event of an emergency.

(6) No school, school board, or school official shall retaliate or otherwise take  
adverse action against a teacher or other school employee for:

(a) volunteering under Subsection (2);

(b) engaging in conduct described in Subsection (3); or

(c) failing or refusing to become a qualified adult.

10. Page 4, Line 94:

94 auto-injector, available to any teacher or other school employee who volunteers to  
become a qualified adult.

11. Page 5, Line 146:

146 (1) A ~~[person]~~ qualified adult who is ~~[designated by]~~ a teacher or other school  
employee at a public or private

The motion to amend the bill passed unanimously with Rep. Litvack and Rep. Menlove absent for the vote.

Spoke in favor of the bill: Michelle McOmber, Utah Medical Association  
Charles Thronson, Utah Association for Justice  
Jeff Leonard, Utah School Employees Association

MOTION: Rep. Dougall moved to pass H.B. 101 as amended out favorably. The motion passed unanimously with Rep. Litvack and Rep. Menlove absent for the vote.

Rep. Ray turned the chair over to Rep. Dougall.

### **H.B. 17 Cancer Screening and Mortality Reduction Program (Rep. P. Ray)**

Rep. Ray presented H.B. 17 to the committee, assisted by Michael Siler, American Cancer Society. (handout)

Spoke in favor of the bill: Sharon Folland, citizen

Patricia Worthington, citizen

MOTION: Rep. Riesen moved to pass H.B. 17 out favorably. The motion passed unanimously with Rep. Litvack absent for the vote.

Rep. Dougall turned the chair over to Rep. Menlove.

**H.B. 265 Office of Recovery Services - Electronic Funds Transfer (Rep. P. Ray)**

Rep. Ray presented H.B. 265 to the committee.

Spoke in favor of the bill: Mark Brasher, Office of Recovery Services

MOTION: Rep. Dougall moved to pass H.B. 265 out favorably. The motion passed unanimously.

MOTION: Rep. Dougall moved to place H.B. 265 on the Consent Calendar with the approval of Rep. Ray. The motion passed unanimously.

**H.B. 268 Health Facility Committee Membership (Rep. C. Herrod)**

MOTION: Rep. Sandstrom moved to amend the bill as follows:

1. *Page 2, Lines 30 through 31:*

30 (1) The Health Facility Committee created by Section 26-1-7 consists of [~~13~~  
{~~14~~} 15  
31 members appointed by the governor with the consent of the Senate. The appointed  
members

2. *Page 2, Lines 39 through 49:*

39 (d) one representative of a freestanding ambulatory surgical  
{~~facilities~~} facility ; =  
(e) one representative of an ambulatory surgical facility that is affiliated with a  
hospital;  
40 [~~(d)~~] {~~(e)~~} (f) ) two representatives of the nursing care facility industry;  
41 [~~(e)~~] {~~(f)~~} (g) one registered nurse, licensed to practice under Title 58,  
Chapter 31b, Nurse  
42 Practice Act;  
43 [~~(f)~~] {~~(g)~~} (h) one professional in the field of mental retardation not

- affiliated with a nursing  
44 care facility;  
45 ~~(g)~~ ~~{(h)}~~ (i) one licensed architect or engineer with expertise in health  
care facilities;  
46 ~~(h)~~ ~~{(i)}~~ (j) two representatives of assisted living facilities licensed under  
this chapter;  
47 ~~(i)~~ ~~{(j)}~~ (k) two consumers, one of whom has an interest in or expertise in  
geriatric care;  
48 and  
49 ~~(j)~~ ~~{(k)}~~ (l) one representative from either a home health care provider or  
a hospice

The motion to amend the bill passed unanimously

Rep. Herrod presented the amended bill to the committee.

MOTION: Rep. Dougall moved to pass H.B. 268 out favorably. The motion passed unanimously.

**H.J.R. 5 Joint Resolution Urging Support of Medicaid Long-term Care Funding of Home and Community-based Supports (*Rep. M. Noel*)**

Rep. Noel presented the bill, assisted by Andrew Riggle, public policy advocate for the Disability Law Center.

Spoke in favor of the bill: Joyce Dolcourt, ARC of Utah  
Laura Polacheck, AARP Utah

MOTION: Rep. Dougall moved to pass the bill out favorably. The motion passed unanimously.

MOTION: Rep. Dougall moved to place H.J.R. 5 on the Consent Calendar with the approval of Rep. Noel. The motion passed unanimously.

MOTION: Rep. Riesen moved to adjourn the meeting. The motion passed unanimously.

Rep. Ray adjourned the meeting at 9:16 a.m.

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Rep. Paul Ray  
Committee Chair