

**MINUTES OF THE SENATE HEALTH AND HUMAN SERVICES
STANDING COMMITTEE
JANUARY 29, 2008
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: Kathy Elton, Alternative Dispute Resolution Director, Courts
Margaret Swenson, mother
Stewart Ralphs, Legal Aid Society and Family Law Section,
Utah Bar
Maureen Henry, Executive Director, Commission on Aging
Teresa Garrett, Division Director, Department of Health
Duane Betournay, Director, Division of Child and Family
Services, Department of Human Services
Kim Grant, Domestic Mediator, For Children's Sake
Cheryl Merrill
Melissa Larsen, Planned Parenthood Assn. of Utah
Rick Schwermer, Administrative Office of the Courts

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

Committee Chair Buttars called the meeting to order at 3:40 p.m.

1. H.B. 22 Expedited Parent-Time Enforcement (Julie Fisher)

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

Page 1, Lines 18 through 19

18 Other Special Clauses:

19 {~~None~~} **This bill coordinates with S.B. 111, Revisor's Statute.**

Page 2, Line 48

48 Unless the court rules otherwise, a parent residing outside of the state is not
unavailable. **The director of the program for the courts, the court, or the mediator
may excuse either party from the requirement to mediate for good cause.**

Page 4, Line 116 through Page 5, Line 137

116 {~~(7)~~ **If a parent fails to cooperate in good faith in mediation or services to**
facilitate
117 **parent-time, a court may order, in subsequent proceedings, a temporary change in**
custody or
118 **parent-time.** }
119 {~~(8)~~} (7) (a) The Judicial Council may make rules to implement and
administer the
120 provisions of this [~~pilot~~] program related to mediation.
121 (b) The Department of Human Services may make rules to implement and administer
122 the provisions of this [~~pilot~~] program related to services to facilitate parent-time.
123 {~~(9)~~} (8) (a) The Administrative Office of the Courts shall adopt outcome
measures to
124 evaluate the effectiveness of the mediation component of this [~~pilot~~] program. Progress
reports

 * * * *Some lines not shown* * * *
133 may adopt joint outcome measures and file joint reports to satisfy the requirements of
134 Subsections {~~(8)~~} (7) (a) and (b).
135 {~~(10)~~} (9) [~~(a)~~] The Department of Human Services shall, by following the
procedures and
136 requirements of Title 63, Chapter 38e, Federal Funds Procedures, apply for federal funds
as
137 available.

Page 6, Line 169

169 of any fiscal year shall lapse into the General Fund.

Section 3. Coordinating H.B. 22 with S.B. 111.
If this bill and S.B. 111, Revisor's Statute, both pass, it is the intent of the
Legislature that Section 30-3-38 not be repealed and the amendments in this H.B. 22
take effect.

The motion passed unanimously with Sens. Knudson and McCoy absent for the vote.

Rep. Fisher explained the bill.

The following individuals spoke in support of the bill:

Kathy Elton, Alternative Dispute Resolution Director, Courts
Margaret Swenson, mother
Stewart Ralphs, Legal Aid Society and Family Law Section, Utah Bar
Kim Grant, Domestic Mediator for Children's Sake
Rick Schwermer, Administrative Office of the Courts

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

The motion passed with Sen. McCoy absent for the vote.

2. **H.B. 60 Legislative Review of Health Insurance Mandates** (*J. Dunnigan*)

Rep. Dunnigan explained the bill.

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

The motion passed unanimously with Sen. McCoy absent for the vote.

3. **S.B. 161 Advance Health Care Directive Amendments** (*A. Christensen*)

Sen. Christensen explained the bill, assisted by Maureen Henry, Executive Director, Commission on Aging.

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

The motion passed unanimously.

MOTION: At the request of the sponsor, Sen. McCoy moved that the Committee recommend that the bill be placed on the consent calendar.

The motion passed unanimously.

4. **H.B. 15 Control and Prevention of Sexually Transmitted Diseases** (*P. Riesen*)

Rep. Riesen explained the bill.

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

Page 1, Line 24: Delete "2007-08" and insert "2008-09"

Page 1, Line 76: Delete "2007-08" and insert "2008-09"

The motion passed unanimously.

Gayle Ruzicka, Utah Eagle Forum, spoke to the bill.

Teresa Garrett, Department of Health, and Melissa Larsen, Planned Parenthood Association of Utah, spoke in support of the bill.

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

The motion passed unanimously.

Senator Buttars turned the chair over to Sen. Christensen.

5. H.B. 36 Child Welfare Amendments (W. Harper)

Rep. Harper explained the bill.

Duane Betournay, Director, Division of Child and Family Services, Department of Human Services, spoke in support of the bill.

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

The motion passed unanimously with Sen. Buttars absent for the vote.

6. H.B. 71 Parent-time Amendments (L. Fowlke)

MOTION: Sen. McCoy moved to adopt the following amendment:

Page 3, Line 74: After "parent" delete the rest of line 74

Delete lines 75 and 76 and insert a period

The motion passed unanimously with Sen. Buttars absent for the vote.

Rep. Fowlke explained the bill as amended.

Stewart Ralphs, Legal Aid Society and Family Law Section, Utah Bar, spoke in support of the bill.

Kim Grant, Domestic Mediator, For Children's Sake, Cheryl Merrill, and Margaret Swenson spoke in opposition to the bill.

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

The motion passed unanimously with Sen. Buttars absent for the vote.

7. **H.B. 73 Child Care Providers** (*K. Morgan*)

The bill was not heard.

Sen. Christensen adjourned the meeting at 3:40 p.m.

Minutes reported by Nedra Duzett, Secretary.

Sen. D. Chris Buttars, Committee Chair