

**MINUTES OF THE HOUSE BUSINESS AND LABOR  
STANDING COMMITTEE**

Room 450, State Capitol, Utah State Capitol Complex

March 2, 2010

**Members Present:** Rep. Jim Dunnigan, Chair  
Rep. Patrick Painter, Vice Chair  
Rep. Jackie Biskupski  
Rep. Stephen Clark  
Rep. Susan Duckworth  
Rep. Gage Froerer  
Rep. Francis Gibson  
Rep. Neil Hansen  
Rep. Brian King  
Rep. Todd Kiser  
Rep. Michael Morley  
Rep. Brent Wallis  
Rep. Curt Webb

**Members Absent:** Rep. Kevin Garn

**Staff Present:** Bryant Howe, Assistant Director  
Rosemary Young, Committee Secretary

**Note:** List of visitors and a copy of handouts are filed with committee minutes.

Rep. Dunnigan called the meeting to order at 7:34 a.m.

**MOTION:** Rep. Hansen moved to approve the minutes of the Feb 26, 2010 meeting. The motion passed unanimously with Rep. Clark, Rep. Gibson, and Rep. Painter absent for the vote.

**H.B. 408** Hospital Claims Management (*Rep. B. Last*)

**MOTION:** Rep. Webb moved to replace H.B. 408 with 1st Substitute H.B. 408. The motion passed unanimously with Rep. Clark, Rep. Gibson, Rep. Morley, and Rep. Painter absent for the vote.

**MOTION:** Rep. Kiser moved to amend 1st Sub. H.B. 408 as follows:

1. *Page 2, Lines 39 through 41:*

39           (ii) the method for implementation and evaluation of an open and honest dialogue  
40 between a health care provider and a patient. ~~{or}~~ and the patient's  
representative, after an  
41 unanticipated event resulting from medical care provided to the patient.

The motion passed unanimously with Rep. Clark, Rep. Gibson, and Rep. Painter absent for the vote.

Rep. Last, assisted by Lieutenant Governor Bell and John T. Nielson from the Governor's Office, introduced the bill and explained it to the committee. Charles H. Thronson, Utah Association for Justice, spoke for the bill.

**MOTION:** Rep. Kiser moved to transmit 1st Sub H.B. 408 with a favorable recommendation. The motion passed unanimously.

**H.J.R. 34** Joint Resolution on Hospital Claims Management (*Rep. B. Last*)

**MOTION:** Rep. Biskupski moved to replace H.J.R. 34 with 1st Substitute H.J.R. 34. The motion passed unanimously.

Rep. Last, assisted by Lieutenant Governor Bell and John T. Nielson from the Governor's Office, introduced the resolution and explained it to the committee.

**MOTION:** Rep. Kiser moved to transmit 1st Sub. H.J.R. 34 with a favorable recommendation. The motion passed with Rep. Hansen voting in opposition.

**H.B. 421** Medical Financial Records Amendments (*Rep. B. Last*)

Rep. Last introduced the bill and explained it to the committee aided by Spencer Stokes of Stokes Strategies.

**MOTION:** Rep. Gibson moved to transmit H.B. 421 with a favorable recommendation. The motion passed with Rep. Hansen voting in opposition.

**H.C.R. 16** Statue of Responsibility Monument Concurrent Resolution (*Rep. M. Morley*)

Rep. Morley, assisted by Daniel Bolz, Statue of Responsibility Foundation, explained the resolution to the committee.

**MOTION:** Rep. King moved to transmit H.C.R. 16 with a favorable recommendation. The motion passed with Rep. Biskupski voting in opposition.

**H.B. 399** Common Interest Ownership Amendments (*Rep. G. Froerer*)

Rep. Froerer introduced the bill and explained it to the committee assisted by John Morris, Community Association Institute, who distributed a handout. Cort Ashton, Utah Land Title Association, spoke to the bill.

**MOTION:** Rep. Webb moved to return H.B. 399 to rules for interim study. The motion passed unanimously with Rep. Morley absent for the vote.

**H.B. 135** Pharmacy Benefit Managers Act (*Rep. E. Vickers*)

**MOTION:** Rep. Painter moved to amend H.B. 135 as follows:

1. Page 2, Line 29:

29 ▶ prohibits {~~relation~~} retaliation by a pharmacy benefit manager under certain circumstances; and

The motion passed unanimously with Rep. Morley absent for the vote.

Rep. Vickers distributed a handout and explained the bill to the committee.

**MOTION:** Rep. Gibson moved to return H.B. 135 to rules for interim study. The motion passed unanimously with Rep. Morley absent for the vote.

**H.B. 320** Utah Construction Trades Licensing Act - Alarm Companies Amendments (*Rep. C. Herrod*)

**MOTION:** Rep. Painter moved to replace H.B. 320 with 1st Substitute H.B. 320. The motion passed unanimously with Rep. Morley absent for the vote.

Rep. Herrod introduced the bill and explained it to the committee. Mark Steinagel, Director, Division of Occupational and Professional Licensing, spoke to the bill.

**MOTION:** Rep. Gibson moved to amend 1st Sub. H.B. 320 as follows:

1. Page 2, Lines 27 through 33:

27 58-55-302, an applicant for licensure as an alarm company agent may be issued;

28 (a) an interim permit[-]; or

29 (b) subject to Subsection (3), a temporary permit.

30 (2) (a) Each interim or temporary permit shall expire 90 days after it is issued or on the date on

31 which the applicant is issued a license, whichever is earlier.

32 (b) The division may reissue an interim permit if the delay in approving a license is

33 beyond the control or influence of the interim permit holder.

The motion passed unanimously with Rep. Morley absent for the vote.

**MOTION:** Rep. Webb moved to transmit 1st Sub. H.B. 320 with a favorable recommendation. The motion passed with Rep. Biskupski, Rep. Duckworth, Rep. Hansen, and Rep. Kiser voting in opposition.

Rep. Dunnigan and Rep. Painter thanked the committee and staff for their work.

**MOTION:** Rep. Duckworth moved to adjourn. The motion passed unanimously with Rep. Morley absent for the vote.

Rep. Dunnigan adjourned the meeting at 9:10 a.m.

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Rep. James Dunnigan, Chair