

**MINUTES OF THE
SENATE HEALTH AND HUMAN SERVICES STANDING COMMITTEE
WEDNESDAY, FEBRUARY 11, 2010, 8:00 A.M.
Room 250 STATE CAPITOL**

Members Present: Sen. D. Chris Buttars, Chair
Sen. J. Stuart Adams
Sen. Allen M. Christensen
Sen. David P. Hinkins
Sen. Patricia W. Jones
Sen. Luz Robles

Staff Present: Mark D. Andrews, Policy Analyst
Henry Liu, Committee Secretary

Speakers Present: Laura Bunker - United Families of Utah
Mary Paulsen - Former Member of the Board of Services for People with Disabilities
Dr. Dean Robinson
Joyce Dolcourt, Legislative Coalition for People with Disabilities
Judi Hilman, Utah Health Policy Project
Peter Cannon, citizen, Davis County
Liz Zentner, Utah PTA
Michael Siler, American Cancer Society
Joan Manning, Pregnancy Resource Center
Tamara Anderson, Pregnancy Resource Center
Carola Zitzmann
Gayle Ruzicka, Utah Eagle Forum

Speaker and visitor list in minutes file.

Chair Buttars called the meeting to order at 8:15 a.m.

1. **SB0160 Utah State Developmental Center Amendments (M. Dayton)**

Sen. Dayton introduced the bill.

Spoke in favor of the bill:
Dr. Dean Robinson
Mary Paulsen
Carola Zitzmann

Spoke in opposition to the bill:
Joyce Dolcourt

MOTION: Sen. Adams moved to pass S.B. 160 with a favorable recommendation.

The motion passed with Sen. Christensen voting in opposition and Sen. Hinkins absent for the vote.

2. **SB0145 Medical Malpractice Amendments (J.S. Adams)**
Not considered.

3. **SB0044 Health Amendments for Legal Immigrant Children (L. Robles)**

Sen. Robles introduced the bill.

MOTION: Sen. Robles moved to adopt First Substitute S.B. 44, Health Amendments for Legal Immigrant Children, with the following amendment:

1. *Page 2, Line 47:*

47 26-40-115. Coverage for legal immigrant {~~pregnant women and~~} children.

The motion passed unanimously with Sen. Adams and Sen. Hinkins absent for the vote.

Spoke in favor of the bill:
Judi Hilman

Following in opposition to the bill:
Peter Cannon

MOTION: Sen. Jones moved to pass First Substitute S.B. 44 with a favorable recommendation.

The motion failed with Sen. Jones and Sen. Robles voting in favor of the motion, Sen. Buttars and Sen. Christensen voting in opposition, and Sen. Adams and Sen. Hinkins absent for the vote.

MOTION: Sen. Christensen moved to proceed to the next item on the agenda.

The motion failed with Sen. Buttars and Sen. Christensen voting in favor, Sen. Jones and Sen. Robles voting in opposition, and Sen. Adams and and Sen. Hinkins absent for the vote.

The chair ruled that the Committee would move to the next item on the agenda.

4. **HB0088 Electronic Cigarette Restrictions (R. Menlove)**

Rep. Menlove introduced the bill.

MOTION: Sen. Christensen moved to amend H.B. 88 as follows:

1. *Page 2, Lines 36 through 37:*

36 criminal penalties for violation of those prohibitions; and
37 { ~~→ addresses advertising requirements relating to electronic cigarettes;~~
and }

2. *Page 2, Line 54:*

54 { ~~76-10-112, as enacted by Laws of Utah 1989, Chapter 193~~ }

3. *Page 15, Line 450 through Page 16, Line 466:*

450 { ~~Section 10. Section 76-10-112 is amended to read:~~
451 ~~76-10-112. Prohibition of distribution of electronic cigarettes, cigarettes, or~~
other
452 tobacco products -- Exceptions:
453 ~~—(1) Except as provided in Subsection (2), it is unlawful for a manufacturer,~~
wholesaler,
454 or retailer to give or distribute electronic cigarettes, cigarettes, or other tobacco
products in this
455 state without charge. Any person who violates this subsection is guilty of a class C
456 misdemeanor for the first offense and a class B misdemeanor for any subsequent
offense:
457 ~~—(2) [Cigarettes]~~ Electronic cigarettes, cigarettes, and other tobacco products
may be
458 distributed to adults without charge at professional conventions where the general
public is
459 excluded:
460 ~~—(3) The prohibition described in Subsection (1) does not apply to [retailers,~~
461 manufacturers, or distributors who give cigarettes or other tobacco products to
persons of legal
462 age upon their purchase of cigarettes or other tobacco products.] a retailer,
manufacturer, or

463 ~~distributor who gives electronic cigarettes, cigarettes, or other tobacco products to a~~
~~person of~~
464 ~~legal age upon the person's purchase of an electronic cigarette, cigarettes, or another~~
~~tobacco~~
465 ~~product.~~}

466 Section {~~11~~} 10 . Section 77-39-101 is amended to read:

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

Spoke in favor of the bill:

Michael Siler
Liz Zentner

MOTION: Sen. Christensen moved to pass H.B. 88 with a favorable recommendation.

The motion passed unanimously with Sen. Adams and Sen. Robles absent for the vote.

5. **HB0200 Informed Consent Amendments (C. Wimmer)**

MOTION: Sen. Christensen moved to amend H.B. 200 as follows:

1. *Page 11, Lines 330 through 333:*

330 (b) show an ultrasound of the heartbeat of an unborn child at:
331 (i) { ~~three weeks gestational age;~~ } four weeks from conception;
332 (ii) six to eight weeks { ~~gestational age~~ } from conception ; and
333 (iii) each month after { ~~eight~~ } ten weeks gestational age, up to 14 weeks
gestational age.

The motion passed unanimously with Sen. Robles and Sen. Hinkins absent for the vote.

Rep. Wimmer introduced the bill.

Spoke in favor of the bill:

Joan Manning
Gayle Ruzicka
Tamara Anderson
Laura Bunker

MOTION: Sen. Adams moved to pass amend H.B. 200.

Motion passed unanimously with Sen. Robles absent for the vote.

MOTION: Sen. Adams moved to pass H.B. 200 as amended with a favorable recommendation.

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

6. **HJR011 Joint Resolution Regarding Federal Health Insurance Reform (M. Morley)**

Rep. Morley introduced the bill.

MOTION: Sen. Hinkins moved to pass H.J.R. 11 with a favorable recommendation.

The motion passed with Sen. Jones voting in opposition and Sen. Robles absent for the vote.

7. **SB0144 Vision Screening Amendments (W. Niederhauser)**

Not considered.

8. **SCR008 Fathers Do Matter Concurrent Resolution (G. Davis)**

Not considered.

9. **HB0017 Amendments to Programs for People with Disabilities (S. Mascaro)**

Not considered.

MOTION: Sen. Jones moved to adjourn.

The motion passed unanimously with Sen. Robles, Sen. Adams and Sen. Hinkins absent for the vote.

Chair Buttars adjourned the meeting at 9:55 a.m.

The minutes were reported by Henry Liu, Committee Secretary.

Sen. D. Chris Buttars, Committee Chairman