MINUTES OF THE SENATE HEALTH AND HUMAN SERVICES STANDING COMMITTEE FEBRUARY 14, 2011 ROOM 250 STATE CAPITOL COMPLEX

Members Present: Sen. D. Chris Buttars, Chair

Sen. Allen M. Christensen Sen. Mark B. Madsen Sen. Stuart C. Reid Sen. Patricia W. Jones

Members Excused: Sen. Luz Robles

Staff Present: Mark D. Andrews, Policy Analyst

Kathy Helgesen, Committee Secretary

Public Speakers Present: Ellie Brownstein, MD, P&T Committee

Jeff Buel, Director, State Government Affairs, Johnson & Johnson

Tim Tomer, AARP Michael Meason, MD

Judi Hillman, Utah Health Policy Project

Kerri Ernstsen

Perrine Anderson, APRN-GNP

Steve Bateman, CEO, St. Marks Hospital

Charlie Thronson, attorney, UAJ

Dave Gessell, legal counsel, Utah Hospitals

Andrew Riggle, Utah Developmental Disability Counsel

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

Sen. Buttars called the meeting to order at 2:10 p.m.

Approval of Minutes

MOTION: Sen. Reid moved to approve the minutes of February 10, 2011

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

1. SB0137S01 - Medicaid Amendments (A. Christensen)

Sen. Christensen introduced the bill.

Dr. Brownstein, Mr. Tomer, and Ms. Hillman spoke in favor of the bill.

Minutes of the Senate Health and Human Services Standing Committee February 14, 2011 Page 2

Mr. Buel, Dr. Meason, Ms. Ernsten, and Ms. Anderson spoke in opposition to the bill.

MOTION: Sen. Christensen moved to amend First Substitute S.B. 137 as follows:

- 1. Page 3, Line 85 through Page 4, Line 88:
 - 85 (b) The department shall grant a prior authorization for a psychotropic drug that is not
 - on the preferred drug list for a patient who is stabilized on the drug.
 - (c) A prior authorization
 - 87 granted under { this subsection } Subsection (2)(b) is valid for one year from the date the department grants the prior
 - 88 <u>authorization</u> , and shall be renewed by the department in accordance with Subsection (2)(b) .

The motion passed unanimously.

MOTION: Sen. Christensen moved to pass S.B. 137, as substituted at the previous meeting and amended at this meeting, out of committee with a favorable recommendation.

The motion passed with Sen. Jones voting in opposition.

2. **HB0241 - Clean Out the Cabinets Month Designation (M. Morley)**

Rep. Morley introduced the bill.

MOTION: Sen. Jones moved to pass H.B. 241 out of committee with a favorable recommendation.

The motion passed unanimously.

MOTION: Sen. Reid moved to place H.B. 241 on the Consent Calendar.

The motion passed unanimously.

3. SB150 - Negligent Credentialing (J.S. Adams)

Sen. Adams introduced the bill.

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

1. Page 1, Lines 25 through 27:

Minutes of the Senate Health and Human Services Standing Committee February 14, 2011 Page 3

- 25 <u>78B-3-425.</u> Prohibition on cause of action for negligent credentialing.
- 26 <u>It is the policy of this state that the question of negligent credentialing, as applied to</u>
- 27 { <u>medical</u>} <u>health care</u> providers in malpractice suits, is not recognized as a cause of action.

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

Mr. Bateman and Mr. Gessell spoke in favor of the bill.

Mr. Thronson spoke in opposition to the bill.

MOTION: Sen. Christensen moved to pass S.B. 150, as amended, out of committee with a favorable recommendation.

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

4. HB0230S01 - Disability Amendments (P. Ray)

Rep. Ray introduced the bill.

Mr. Riggle spoke in favor of the bill.

MOTION: Sen. Jones moved to pass First Substitute H.B. 230 out of committee with a favorable recommendation.

The motion passed unanimously.

MOTION: Sen. Jones made a motion to place H.B. 230 on the Consent Calendar.

The motion passed unanimously.

MOTION: Sen. Christensen moved to adjourn.

The motion passed unanimously.

The meeting adjourned at 3:10 p.m.

Minutes reported by Kathy Helgesen, Secretary.

Minutes of the Senate Health and Human Services Standing Committee	
February 14, 2011	
Page 4	
	Sen. D. Chris Buttars, Committee Chair