

**MINUTES OF THE
HOUSE HEALTH AND HUMAN SERVICES STANDING COMMITTEE
Room 25, House Office Building
March 6, 2013**

MEMBERS PRESENT: Rep. Paul Ray, Chair
Rep. LaVar Christensen, Vice Chair
Rep. Stewart Barlow
Rep. Rebecca Chavez-Houck
Rep. Tim M. Cosgrove
Rep. Brian M. Greene
Rep. Michael S. Kennedy
Rep. Ronda Rudd Menlove
Rep. Edward H. Redd

STAFF PRESENT: Mr. Mark D. Andrews, Policy Analyst
Ms. Linda Black, House Secretary

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

Chair Ray called the meeting to order at 4:40 p.m.

MOTION: Rep. Chavez-Houck moved to approve the minutes of the March 1 and March 5, 2013 meetings. The motion passed unanimously, with Rep. Barlow and Rep. Redd absent for the vote.

S.B. 166S02 Hospital Provider Assessment Amendments (*Sen. L. Hillyard*)

Sen. Hillyard presented the bill to the committee. (handout)

MOTION: Rep. Cosgrove moved to pass the bill out favorably. The motion passed unanimously, with Rep. Barlow absent for the vote.

MOTION: Rep. Redd moved to place S.B. 166S02 on the Consent Calendar. The motion passed unanimously, with Rep. Barlow absent for the vote.

H.B. 372 Cigarette, Tobacco, and Nicotine Amendments (*Rep. P. Ray*)

Chair Ray presented the bill to the committee, with the assistance of Ms. Anna Guymon, Weber-Morgan Health Department.

Spoke in favor
of the bill:

Ms. Tibby Milne
Dr. Tom Metcalf

Safety Commissioner, Utah PTA
General pediatrician (retired)

Spoke in opposition

to the bill:	Mr. Royce Van Tassell	Utah Taxpayers Association
	Mr. Aaron Frazier	Utah Vapors (handout)
	Mr. Robert Collier	Vendor, Vapor Mania
	Ms. Suzanne Anderson	Vendor, Electronic Stix
	Ms. Missy Bexell	

MOTION: Chair Ray moved to amend the bill as follows:

1. *Page 3, Lines 70 through 72:*

70 (ii) vapor from the atomizer to the user's mouth; and
71 (d) contains liquid for producing vapor in an {~~electronic~~
cigarette} e-cigarette .
72 [~~(4)~~] (6) "Importer" means a person who imports into the United States, either
 directly

2. *Page 4, Lines 109 through 116:*

109 (12) "Nicotine product" means:
110 (a) {~~an e-cigarette~~;
111 ~~(b)~~} an e-cigarette cartridge;
112 {~~(c)~~} (b) nicotine candy; or
113 {~~(d)~~} (c) — (a) any other product containing nicotine . except for
an e-cigarette, that {~~:~~
114 ~~(i) dissolves in the mouth; and~~
115 ~~(ii)~~} is not approved by the United States Food and Drug Administration as an aid
in
116 quitting the use of tobacco or nicotine.

SUBSTITUTE

MOTION: Rep. Greene moved to replace H.B. 372 with 1st Substitute H.B. 372 "Cigarette, Tobacco, and Nicotine Amendments." The substitute motion failed, with Rep. Barlow, Rep. Greene, and Rep. Menlove voting in favor.

The original motion to amend passed unanimously.

MOTION: Chair Ray moved to pass the bill out favorably, as amended. The motion passed, with Rep. Barlow and Rep. Greene voting in opposition.

H.B. 165 Background Checks for Child Care Workers *(Rep. T. Cosgrove)*

Rep. Cosgrove presented the bill to the committee.

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

1. *Page 1, Line 14:*

14 individual who has resided in Utah for five years for individuals who apply for licensure after July 1, 2013 ; and

2. *Page 2, Lines 41 through 42:*

41 [~~(i) the individual has resided in Utah for the last five years;~~] (i) the individual has resided in Utah for the last five years and applied for a certificate or license before July 1, 2013;

42 [~~(ii)~~] {~~(i)~~} (ii) the individual has:

3. *Page 2, Line 46:*

46 [~~(iii)~~] {~~(ii)~~} (iii) as of May 3, 1999, the individual had one of the relationships under

The motion passed, with Rep. Chavez-Houck voting in opposition

Spoke to
the bill: Ms. Teresa Whiting Bureau Director, Utah Department of Health

Spoke in favor
of the bill: Ms. Janis Dubno Voices for Utah Children
 Ms. Heather Anderson Utah Association of Special Districts

MOTION: Rep. Menlove moved to pass the bill out favorably, as amended. The motion passed unanimously.

MOTION: Rep. Kennedy moved place H.B. 165 on the Consent Calendar. The motion passed unanimously.

S.B. 165 Physical Therapy Practice Act Amendments *(Sen. T. Weiler)*

Sen. Weiler presented the bill to the committee.

MOTION: Sen. Weiler presented the bill to the committee.

MOTION: Rep. Menlove moved to pass the bill out favorably. The motion passed unanimously, with Rep. Cosgrove absent for the vote.

MOTION: Rep. Menlove moved to place S.B. 165 on the Consent Calendar. The motion passed unanimously, with Rep. Cosgrove absent for the vote.

H.B. 148 Adoption Records Access Amendments (Rep. J. Nielson)

Rep. Nielson presented the bill to the committee.

MOTION: Rep. Barlow moved to replace H.B. 148 with 2nd Substitute H.B. 148, "Adoption Records Access Amendments." The motion passed unanimously, with Rep. Cosgrove absent for the vote.

MOTION: Rep. Barlow moved to amend 2nd Substitute H.B. 148 as follows:

1. Page 7, Line 190:

190 (9) The office shall work with the ~~{Department of Transportation}~~ Tax Commission to develop language

The motion passed unanimously, with Rep. Cosgrove absent for the vote.

Spoke in favor
of the bill:

Ms. Becky Davis	Utah Adoption Council; and Children's Service Society
Mr. David Hardy	Immediate past president, Utah Adoption Council
Ms. Charlotte Staten	Birth mother; Served with the American Adoption Congress; Served with the Utah Adoption Congress; and Ran a local support group for birth mothers and adoptees in Salt Lake City
Ms. Kimberly Nielsen	License psychotherapist; Adoption social worker; and Adoptee
Ms. Maryann Byg	Birth mother; and

Ms. Sarah Boynton Birth parent representative on the Utah
Adoption Council
Birth mother

Spoke in opposition

to the bill:

Ms. Laura Bunker

United Families Utah

Ms. Gayle Ruzika

Utah Eagle Forum

MOTION: Rep. Greene moved to send H.B. 148 to the Rules Committee with a recommendation that it be referred to interim study. The motion passed unanimously, with Rep. Chavez-Houck and Rep. Cosgrove absent for the vote.

H.B. 381 Arbitration Amendments for Dog Bites (*Rep. L. Christensen*)

Rep. Christensen presented the bill to the committee.

Spoke in favor

of the bill:

Mr. Richard Burke

Utah Association for Justice

Spoke in opposition

to the bill:

Mr. Chris Purcell

State Farm Insurance

Mr. Mike Sonntag

Bear River Insurance

MOTION: Rep. Christensen moved to pass the bill out favorably. The motion passed unanimously, with Rep. Chavez-Houck absent for the vote.

H.B. 387 Vital Statistics Act Amendments (*Rep. J. Nielson*)

Rep. Nielson presented the bill to the committee.

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

1. Page 2, Lines 34 through 37:

34 (4) "Dead fetus" means a product of human conception , other than those
circumstances described in Subsection 76-7-301(1) :

35 (a) of [20] 16 weeks' gestation or more, calculated from the date the last normal
36 menstrual period began to the date of delivery; and

37 (b) that was not born alive.

The motion passed unanimously, with Rep. Chavez-Houck and Rep. Cosgrove absent for the vote.

Spoke in favor
of the bill:

Mr. David Weeks
Ms. Laura Bunker United Families Utah
Ms. Briana Weeks

MOTION: Rep. Menlove moved to pass the bill out favorably, as amended. The motion passed unanimously, with Rep. Chavez-Houck and Rep. Cosgrove absent for the vote.

S.B. 42 Medical School Admissions Funding (*Sen. J. Valentine*)

Rep. Kennedy presented the bill to the committee on behalf of Sen. Valentine.

MOTION: Rep. Menlove moved to replace S.B. 42 with 1st Substitute S. B. 42, "Medical School Admissions Funding." The motion passed unanimously, with Rep. Chavez-Houck and Rep. Cosgrove absent for the vote.

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

1. *Page 1, Lines 12 through 18:*

- 12 This bill:
- 13 ▶ authorizes the University of Utah School of Medicine to increase the number of
- 14 students admitted by 40 students for a total of 122 students annually; and
- 15 ▶ requires that no fewer than ~~{80%}~~ 82% of all students admitted
- 16 annually to the University
- 17 of Utah School of Medicine shall:
- 18 • meet the qualifications of resident student for the purposes of tuition; or
- 18 • have graduated from a high school, college, or university located in Utah.

2. *Page 2, Lines 37 through 45:*

- 37 (2) Beginning with the 2013-14 school year, no fewer than ~~{80%}~~ 82% of
- 38 the students
- 38 admitted annually shall:
- 39 (a) meet the qualifications of a resident student for the purpose of tuition in
- 40 accordance
- 40 with:

MOTION: Rep. Barlow moved to pass the bill out favorably. The motion passed unanimously, with Rep. Chavez-Houck voting in opposition and Rep. Cosgrove absent for the vote.

S.B. 230 **Miners' Hospital Grants Amendments** (*Sen. D. Hinkins*)

At the request of the sponsor, the bill was not considered.

MOTION: Rep. Redd moved to adjourn the meeting. The motion passed unanimously, with Rep. Cosgrove absent for the vote.

Chair Ray adjourned the meeting at 8:50 p.m.

Paul Ray, Chair