

**MINUTES OF THE  
HOUSE JUDICIARY STANDING COMMITTEE MEETING**  
20 House Building, Utah State Capitol Complex  
February 27, 2015

**Members Present:** Rep. LaVar Christensen, Chair  
Rep. Merrill Nelson, Vice Chair  
Rep. Fred C. Cox  
Rep. Bruce Cutler  
Rep. Brian M. Greene  
Rep. Craig Hall  
Rep. Brian S. King  
Rep. Curtis Oda  
Rep. V. Lowry Snow  
Rep. Kevin J. Stratton  
Rep. Mark A. Wheatley

**Staff Present:** Mr. Gregg Girvan, Policy Analyst  
Ms. Linda Black, Committee Secretary

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

Chair Christensen called the meeting to order at 8:10 a.m.

**MOTION:** Rep. Cutler moved to approve the minutes of February 20, 2015, February 23, 2015, and February 25, 2015. The motion passed unanimously with Rep. Hall absent for the vote.

**S.B. 191      Uniform Interstate Family Support Act Amendments (*Sen. L. Hillyard*)**

Sen. Hillyard explained the bill to the committee.

**MOTION:** Rep. Cox moved pass the bill out favorably. The motion passed unanimously with Rep. Hall and Rep. King absent for the vote.

**MOTION:** Rep. Snow moved to place S.B. 191 on the Consent Calendar. The motion passed unanimously with Rep. Hall and Rep. King absent for the vote.

Vice Chair Nelson assumed the chair.

**H.B. 356      Parent and Child Amendments (*Rep. L. Christensen*)**

Rep. Christensen explained 1st Substitute H.B. 356 to the committee.

Spoke to the bill: Brent Platt, Division of Child and Family Services  
Pamela Atkinson, Community Advocate  
Liz Knight, Office of the Guardian ad Litem

Spoke for the bill: Connor Boyack, Libertas Institute  
Gayle Ruzika, Utah Eagle Forum  
Desiree Hennessy, foster parent

Spoke against the bill: Dr. Brooke Keeshin, child abuse pediatrician

**MOTION:** Rep. King moved to hold the bill.

#### **SUBSTITUTE**

**MOTION:** Rep. Christensen moved to replace H.B. 356 with 1st Substitute H.B. 356, and with the following amendments:

*1. Page 4, Lines 104 through 112:*

104 (7) (a) The division shall strive to achieve appropriate permanency for children who are  
105 abused, neglected, or dependent. The division shall provide in-home services, where  
106 appropriate and safe, in an effort to help a parent to correct the behavior that resulted in  
abuse,  
107 neglect, or dependency of the parent's child. [~~ff~~] The division may pursue a foster placement  
108 only if in-home services fail or are otherwise insufficient or inappropriate[~~, the~~]. The  
division  
109 shall also seek qualified extended family support or a kinship placement to maintain a sense  
of  
110 security and stability for the child. If in-home services and kinship placement are not safe  
or  
111 appropriate, or in-home services and kinship placement fail and cannot be corrected {+} ,  
**the**  
112 **division may pursue** {+} **appropriate alternative temporary services** [a foster  
placement].

*2. Page 20, Lines 602 through 607:*

602 (3) If the second opinion results in a diagnosis different from the report of the  
603 physician the division used, or if the second opinion results in a course of action less  
restrictive  
604 than the recommendation of the physician the division used, the parent or guardian shall have

605 the option of **promptly** pursuing care and treatment pursuant to the second opinion,  
unless the division  
606 shows, by clear and convincing evidence, that the health care decision is not reasonable and  
607 informed.

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

**MOTION:** Rep. Cox moved to hold the bill. The motion passed with Rep. Christensen, Rep. Greene and Rep. Oda voting in opposition. Rep. Stratton was absent for the vote.

**2nd Sub. H.B. 109 Expungement of Administrative Action (Rep. B. Greene)**

Rep. Greene requested the committee to reconsider the bill.

**MOTION:** Rep. Greene moved to return 2nd Substitute H.B. 109 to the Rules Committee and be referred to interim for further study. The motion passed unanimously with Rep. Stratton absent for the vote.

**MOTION:** Rep. Cutler moved to adjourn the meeting. The motion passed unanimously with Rep. Stratton absent for the vote.

Vice Chair Nelson adjourned the meeting at 9:56 a.m

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LaVar Christensen, Chair