

**MINUTES OF THE
HOUSE HEALTH AND HUMAN SERVICES STANDING COMMITTEE**

20 House Building, Utah State Capitol Complex

February 1, 2016

Members Present: Rep. Kay L. McIff, Chair
Rep. Robert M. Spendlove, Vice Chair
Rep. Stewart E. Barlow
Rep. Melvin R. Brown
Rep. Rebecca Chavez-Houck
Rep. Craig Hall
Rep. Michael S. Kennedy
Rep. Paul Ray
Rep. Edward H. Redd
Rep. Norman J. Thurston
Rep. Raymond P. Ward

Members Excused: Rep. Sandra Hollins

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

MOTION: Vice Chair Spendlove moved to approve the minutes of March 9, 2015, and January 27, 2016. The motion passed unanimously, with Rep. Barlow absent for the vote.

H.B. 102 Interpreter Services Amendments (*Rep. R. Edwards*)

Rep. Edwards explained the bill to the committee with the assistance Dr. Leah Voorhies, Utah State Office of Education. A handout was provided.

Spoke to the bill: Angie Stallings, Assistant Superintendent, State Office of Education
Michelle Tanner, Assistant Superintendent, Utah Schools for the Deaf and
Blind

Spoke against the bill: Jan Ferre, Legislative Coalition for People with Disabilities
Mitch Jensen, Division of Services for Deaf and Hard of Hearing
Marilyn Call, Director, Division of Services for Deaf and Hard of
Hearing

MOTION: Rep. Thurston moved to send H.B. 102 to interim study.

SUBSTITUTE MOTION: Rep. Ward moved to hold the bill in committee. The motion passed with Rep. Thurston voting in opposition.

H.B. 114 Controlled Substance Reporting (Rep. R. Ward)

Rep. Ward explained H.B. 114 to the committee.

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

1. *Page 2, Line 49:*

49 (1) {~~Beginning on July 1, 2012, if~~} **If** a person who is 12 years of age or older is admitted to

2. *Page 4, Lines 106 through 109:*

106 (e) {~~Each month, the name, the case number, and, if known, the date of birth of each~~
107 ~~person convicted during the preceding month of violating Subsection (2)(a) shall be~~
108 ~~reported~~
108 ~~by the court in which the conviction was made~~} **The Administrative Office of**
 ~~the Courts shall report~~ to the Division of Occupational and
109 Professional Licensing **the name, case number, date of conviction, and if known, the**
 ~~date of birth of each person convicted of violating Subsection (2)(a)~~ .

3. *Page 6, Lines 172 through 175:*

172 (i) {~~Each month, the name, the case number, and, if known, the date of birth of each~~
173 ~~person convicted during the preceding month of violating Subsection (2)(a) shall be~~
174 ~~reported~~
174 ~~by the court in which the conviction was made~~} **The Administrative Office of**
 ~~the Courts shall report~~ to the Division of Occupational and
175 Professional Licensing **the name, case number, date of conviction, and if known,**
 ~~the date of birth of each person convicted of violating Subsection (2)(a)~~ .

4. *Page 14, Line 407:*

407 (1) {~~Beginning on July 1, 2012, if the division~~} **When the database**
 receives a report from a general acute

5. *Page 14, Lines 409 through 410:*

409 or overdose involving a prescribed controlled substance, the division shall
 { immediately enter
410 into the database the information supplied in the report and } , within three business
 days after the

6. *Page 15, Line 432:*

432 (1) { ~~Beginning on July 1, 2012, if~~ } When the division receives a report
 from a court under

7. *Page 15, Lines 435 through 436:*

435 (a) { immediately } daily enter into the database the information supplied
 in the report,
436 including the { month during } date on which the person was convicted;

8. *Page 15, Line 457:*

457 58-37-8(1)(e) or 58-37-8(2)(j), the division shall { immediately } daily enter into
 the database the

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

MOTION: Rep. Redd moved to pass H.B. 114 out favorably as amended. The motion passed unanimously.

H.B. 124 Monitoring Equipment in a Care Facility (*Rep. T. Hawkes*)

Rep. Hawkes explained H.B. 124 to the committee with the assistance of Roger Barrus.

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

1. *Page 1, Line 14:*

14 device in the resident's room under certain conditions; and

2. *Page 1, Lines 18 through 21:*

18 resident's room { ~~;~~ and

19 ~~— provides that a facility, resident, or resident's legal representative may not~~
 be held

20 ~~civily or criminally liable for operating or installing a monitoring device in~~
21 ~~accordance with certain requirements} .~~

3. Page 3, Lines 72 through 77:

72 ~~{(2) Notwithstanding any provision of Title 76, Utah Criminal Code, or Title~~
~~77, Utah~~
73 ~~Code of Criminal Procedure, a facility, resident, or resident's legal representative is~~
~~not civilly~~
74 ~~or criminally liable for a privacy violation related to video or audio captured by a~~
~~monitoring~~
75 ~~device that the resident or the resident's legal representative operates in accordance~~
~~with this~~
76 ~~part.~~
77 ~~—(3)}~~ (2) Notwithstanding any other provision of this part, an individual may
not, under this

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

Spoke for the bill: Lauren Burningham
Tina Rothe
Laurel Barrus

Spoke against the bill: Jared Nye, Utah Assisted Living Association

MOTION: Rep. Ray moved to pass H.B. 124 out favorably as amended. The motion passed with Rep. Chavez-Houck voting in opposition, and Rep. Thurston absent for the vote.

H.B. 149 Reporting Death Involving Controlled Substance Amendments (Rep. B. Daw)

Rep. Daw explained H.B. 149 to the committee.

Spoke to the bill: Marilyn Call

MOTION: Rep. Ward moved to pass the bill out favorably. The motion passed unanimously, with Rep. Ray and Rep. Thurston absent for the vote.

H.B. 68 Post-exposure Blood Testing Amendments (Rep. E. Redd)

Rep. Redd explained the bill to the committee.

MOTION: Rep. Redd moved to replace H.B. 68 with 1st Substitute H.B. 68. The motion passed unanimously, with Rep. Ray and Rep. Thurston absent for the vote.

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

1. *Page 2, Lines 37 through 38:*

37 (2) (a) The petitioner may submit by electronic or other means {~~and~~} an
 ex parte request for
38 a warrant ordering a blood draw from the respondent.

2. *Page 3, Lines 84 through 87:*

84 [~~(10)~~] (11) (a) Upon order of the district court that a person submit to testing for a
85 disease, that person shall report to the designated local health department to have the
 person's
86 blood drawn within 10 days from the issuance of the {~~warrant or~~} order, and
 thereafter as
87 designated by the court, or be held in contempt of court.

The motion passed unanimously, with Rep. Ray and Rep. Thurston absent for the vote.

Spoke for the bill: Chief Jack Carruth, South Salt Lake City Police
 Ron Morris, President, Utah State Fire Chiefs
 Todd Richardson, Utah Sheriffs Association, Davis Co. Sheriff

MOTION: Rep. Hall moved to pass 1st Substitute H.B. 68 out favorably, as amended. The motion passed unanimously with Rep. Brown, Rep. Ray, and Rep. Thurston absent for the vote.

MOTION: Rep. Hall moved to adjourn the meeting. The motion passed unanimously with Rep. Brown, Rep. Ray, and Rep. Thurston absent for the vote.

Chair McIff adjourned the meeting at 4:30 p.m.