

**MINUTES OF THE  
HOUSE HEALTH AND HUMAN SERVICES STANDING COMMITTEE**  
20 House Building, Utah State Capitol Complex  
February 25, 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. Sandra Hollins  
Rep. Michael S. Kennedy  
Rep. Paul Ray  
Rep. Edward H. Redd  
Rep. Norman J. Thurston  
Rep. Raymond P. Ward

**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 8:04 a.m.

**MOTION:** Rep. Spendlove moved to approve the minutes of February 18, 2016, and February 22, 2016. The motion passed unanimously with Rep. Barlow, Rep. Hall and Rep. Ward absent for the vote.

**H.B. 364 Pharmacy Benefit Manager Amendments (*Rep. B. Last*)**

Rep. Last explained the bill to the committee.

**MOTION:** Rep. Ward moved to replace H.B. 364 with 1st Substitute H.B. 364, Pharmacy Benefit Manager Amendments. The motion passed unanimously with Rep. Hall and Rep. Redd absent for the vote.

Spoke to the bill: Jim Briscoe, Independent Pharmacy Cooperative  
Todd Kiser, Insurance Commissioner, Utah Insurance Department  
Kate Bradshaw, Independent Pharmacy Cooperative

Spoke for the bill: Dave Davis, President, Utah Retail Merchants Association  
Lincoln Shurtz, CVS Health  
Travis Wood, Executive Director, Utah Health Plans

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

1. *Page 5, Line 143:*  
143        (a) for the purpose of ensuring compliance with the provisions of this  
              ~~{chapter}~~ section . require a
  
2. *Page 5, Lines 145 through 146:*  
145        (i) registered under this ~~{chapter}~~ section ; or  
146        (ii) who engages in activities that require registration under this  
              ~~{chapter}~~ section ;
  
3. *Page 5, Line 148:*  
148        (i) certifies that the person is in full compliance with each requirement of this  
              ~~{chapter}~~ section
  
4. *Page 6, Line 154:*  
154        ~~{chapter}~~ section by a person described in Subsection (1)(a), including, if  
              applicable, adjudicative
  
5. *Page 6, Line 164:*  
164        ~~{chapter}~~ section is conducting business as a pharmacy benefit manager or  
              providing pharmacy benefit
  
6. *Page 6, Lines 169 through 170:*  
169        (i) that the person is not registered as a pharmacy benefit manager as required by  
              this  
170        ~~{chapter}~~ section ; and

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

**MOTION:** Rep. Ray moved to pass 1st Substitute H.B. 364 out favorably, as amended. The motion passed with Rep. Chavez-Houck, Rep. Hall, Rep. Hollins, and Rep. Thurston voting in opposition.

**H.B. 264      End of Life Options Act (Rep. R. Chavez-Houck)**

Rep. Chavez-Houck explained the bill to the committee, and provided two handouts.

Spoke for the bill: Carrie Snyder  
Suzie Funk  
Rev. Tom Goldsmith, First Unitarian Church  
Margaret (Peggy) Battin, Professor, University of Utah School of  
Medicine  
Josh Daniels, Libertas Institute  
Vickie Samuelson, League of Women Voters  
Ann Palmer, Utah Commission on Aging  
Marina Lowe, American Civil Liberties Union of Utah  
Joyce Dolcourt, Legislative Coalition for People with Disabilities  
Dr. Elizabeth Pollak (video recording)

Spoke against the bill: Maryann Christensen, Eagle Forum  
Stan Rasmussen, Sutherland Institute  
Deanna Holland, Pro-Life, Utah  
Laura Bunker, United Families International (handout)  
Jean Hill, Catholic Diocese  
Justin Romney

Spoke to the bill: Jennifer Dailey, Utah Academy of Family Physicians

**MOTION:** Rep. Thurston moved to return H.B. 264 to the Rules Committee with a recommendation that it be referred to interim study. The motion passed unanimously with Rep. Ward absent for the vote.

**H.B. 375 Prescription Drug Abuse Amendments (Rep. L. Christensen)**

Rep. Christensen explained the bill to the committee.

**MOTION:** Rep. Redd moved to replace H.B. 375 with 2nd Substitute H.B. 375, Prescription Drug Abuse Amendments. The motion passed unanimously with Rep. Chavez-Houck and Rep. Kennedy absent for the vote.

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

1. Page 2, Lines 42 through 43:

- 42 (2) To address the serious public health concern of life-altering and  
life-threatening opioid  
43 abuse and overdose, and to achieve the purposes of this chapter and as described in  
Section

2. *Page 2, Lines 53 through 55:*

53 (a) develop a ~~{monitoring}~~ system that gathers and reports to prescribers and  
dispensers  
54 the progress and results of their individual access and review of the database, as provided  
in  
55 this section; and

3. *Page 3, Lines 67 through 71:*

67 58-37f-701. Immunity from liability.  
68 An individual who has submitted information to or accessed and reviewed the  
database  
69 in accordance with this ~~[section]~~ chapter may not be held civilly liable for ~~[having~~  
~~submitted~~  
70 ~~the information]~~ such actions, **or lack of action,** which are protected and are not  
subject to civil discovery, as  
71 provided in Section 58-37f-302.

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

Spoke to the bill: Michelle McOmber, CEO, Utah Medical Association

**MOTION:** Rep. Ray moved to pass 2nd Substitute H.B. 375 out favorably, as amended. The motion passed with Rep. Thurston and Rep. Ward voting in opposition.

**MOTION:** Rep. Brown moved to adjourn the meeting. The motion passed unanimously.

Chair McIff adjourned the meeting at 10:02 a.m.

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Kay McIff, Chair