



MINUTES

HOUSE BUSINESS, LABOR, AND COMMERCE STANDING

COMMITTEE

LEGISLATURE

Tuesday, February 25, 2025 | 4:00 p.m. | 445 State Capitol

Members Present:

Rep. A. Cory Maloy, Chair
Rep. Jason B. Kyle, Vice Chair
Rep. Melissa G. Ballard
Rep. Jefferson S. Burton
Rep. James A. Dunnigan
Rep. Ashlee Matthews
Rep. Hoang Nguyen
Rep. Thomas W. Peterson
Rep. Calvin Roberts
Rep. Jake Sawyer

Speaker Mike Schultz

Rep. Jordan D. Teuscher
Rep. Norman K Thurston
Rep. Stephen L. Whyte
Rep. Ryan D. Wilcox

Members Absent:

Rep. Ken Ivory

Staff Present:

Rohnin Randles, Policy Analyst
An Bradshaw, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

Chair Maloy called the meeting to order at 4:12 p.m.

MOTION: Rep. Sawyer moved to approve the minutes of the February 21, 2025 meeting. The motion passed with a vote of 8 - 0 - 8.

Yeas - 8

Rep. J. Dunnigan
Rep. J. Kyle
Rep. A. Maloy
Rep. H. Nguyen
Rep. T. Peterson
Rep. J. Sawyer
Rep. M. Schultz
Rep. N. Thurston

Nays - 0

Absent - 8

Rep. M. Ballard
Rep. J. Burton
Rep. K. Ivory
Rep. A. Matthews
Rep. C. Roberts
Rep. J. Teuscher
Rep. S. Whyte
Rep. R. Wilcox

1. H.B. 503 Medical Malpractice Modifications (Hall, K.)

Rep. Katy Hall presented the bill with the assistance of Nan Bassett and Shawn McGarry, civil defense attorneys.

Dave Gessel, Executive Vice President, Utah Hospital Association, spoke in support of the bill.

William Hamilton, physician, spoke in support of the bill.

Ashton Hyde, medical malpractice attorney, spoke in opposition to the bill.

Lane Childs, physician and president-elect, Utah Medical Association, spoke in support of the bill.

Matthew Corry, former patient, spoke in opposition to the bill.

Melissa Hansen, mother of a former patient, spoke in opposition to the bill.

Steven Meek, physician and chair of the board, Tanner Clinic, spoke in support of the bill.

Ryan Coil, physician, spoke in opposition to the bill.

Ben Lassig, litigation attorney, spoke in support of the bill.

Ryan Caldwell, resident, spoke in opposition to the bill.

Tiffany Fonohema, former patient, spoke in opposition to the bill.

Tyler Young, Commissioner, State Bar Commission, spoke in opposition to the bill.

MOTION: Rep. Kyle moved to pass H.B. 503 out favorably.

SUBSTITUTE MOTION: Rep. Matthews moved to hold H.B. 503. The substitute motion failed with a vote of 4 - 10 - 2.

<u>Yea</u> s - 4	<u>Nay</u> s - 10	<u>Absent</u> - 2
Rep. M. Ballard	Rep. J. Dunnigan	Rep. J. Burton
Rep. A. Matthews	Rep. J. Kyle	Rep. K. Ivory
Rep. H. Nguyen	Rep. A. Maloy	
Rep. N. Thurston	Rep. T. Peterson	
	Rep. C. Roberts	
	Rep. J. Sawyer	
	Rep. M. Schultz	
	Rep. J. Teuscher	
	Rep. S. Whyte	
	Rep. R. Wilcox	

The underlying motion passed with a vote of 10 - 4 - 2.

<u>Yea</u> s - 10	<u>Nay</u> s - 4	<u>Absent</u> - 2
Rep. J. Dunnigan	Rep. M. Ballard	Rep. J. Burton
Rep. J. Kyle	Rep. A. Matthews	Rep. K. Ivory
Rep. A. Maloy	Rep. H. Nguyen	
Rep. T. Peterson	Rep. N. Thurston	
Rep. C. Roberts		
Rep. J. Sawyer		
Rep. M. Schultz		
Rep. J. Teuscher		
Rep. S. Whyte		
Rep. R. Wilcox		

MOTION: Rep. Peterson moved to limit presentations to five minutes. The motion passed with a vote of 12 - 2 - 2.

<u>Yea</u> s - 12	<u>Nay</u> s - 2	<u>Absent</u> - 2
Rep. M. Ballard	Rep. J. Dunnigan	Rep. J. Burton
Rep. J. Kyle	Rep. J. Teuscher	Rep. K. Ivory
Rep. A. Maloy		
Rep. A. Matthews		
Rep. H. Nguyen		
Rep. T. Peterson		
Rep. C. Roberts		
Rep. J. Sawyer		
Rep. M. Schultz		
Rep. N. Thurston		
Rep. S. Whyte		
Rep. R. Wilcox		

2. H.B. 495 Health Care Amendments (Dunnigan, J.)

Rep. Dunnigan presented the bill with the assistance of Tracy Thorup and Val Radmall, dentists.

Val Radmall, Executive Director, Utah Dentist Association, spoke in support of the bill.

MOTION: Rep. Peterson moved to amend H.B. 495 with Amendment #2. The motion passed with a vote of 12 - 0 - 4.

Amendment 2

1. Line 208 through 209:

208 credit card or other similar arrangement.

209 (d)An insurer shall accept allow a tangible check as a form of acceptable payment.

2. Line 240 through 242:

240 (a) based on the provider's contracted fee for covered services, uses downcoding in a
241 manner that prevents a dental provider from collecting the contracted fee for the actual service
242 performed from either the plan or the patient; [or]

3. Line 245 through 250:

245 a procedure that may be provided in conjunction with another procedure[.];
246 (c)does not allow a dental provider to {bill}seek payment of the contracted fee for a covered service from the
patient for a service when the insurer
247 denies the claimpayment for the service, unless under generally accepted practice standards,
248 the service performed should not be billed; or
249 (d)beginning January 1, 2026, automatically recoups an overpayment unless:
250 (i)the recoupment occurs more than 60 days from the day the insurer sends a notice

Yeas - 12

Rep. M. Ballard
Rep. J. Dunnigan
Rep. J. Kyle
Rep. A. Maloy
Rep. A. Matthews
Rep. H. Nguyen
Rep. T. Peterson
Rep. C. Roberts
Rep. J. Sawyer
Rep. J. Teuscher
Rep. N. Thurston
Rep. S. Whyte

Nays - 0

Absent - 4

Rep. J. Burton
Rep. K. Ivory
Rep. M. Schultz
Rep. R. Wilcox

MOTION: Rep. Peterson moved to pass H.B. 495 out favorably as amended. The motion passed with a vote of 12 - 0 - 4.

Yeas - 12

Rep. M. Ballard
Rep. J. Dunnigan
Rep. J. Kyle
Rep. A. Maloy
Rep. A. Matthews
Rep. H. Nguyen
Rep. T. Peterson
Rep. C. Roberts
Rep. J. Sawyer
Rep. J. Teuscher
Rep. N. Thurston
Rep. S. Whyte

Nays - 0Absent - 4

Rep. J. Burton
Rep. K. Ivory
Rep. M. Schultz
Rep. R. Wilcox

MOTION:

Rep. Thurston moved to place H.B. 495 on the Consent Calendar. The motion passed with a vote of 12 - 0 - 4.

Yeas - 12

Rep. M. Ballard
Rep. J. Dunnigan
Rep. J. Kyle
Rep. A. Maloy
Rep. A. Matthews
Rep. H. Nguyen
Rep. T. Peterson
Rep. C. Roberts
Rep. J. Sawyer
Rep. J. Teuscher
Rep. N. Thurston
Rep. S. Whyte

Nays - 0Absent - 4

Rep. J. Burton
Rep. K. Ivory
Rep. M. Schultz
Rep. R. Wilcox

3. S.B. 15 Certified Public Accountant Licensing Amendments (Vickers, E.)

Sen. Evan Vickers presented the bill to the committee.

Jonathan Liljegren, resident, spoke in opposition to the bill.

Susan Speirs, CEO, Utah Association of Certified Public Accountants, spoke in support of the bill.

MOTION:

Rep. Peterson moved to replace S.B. 15 with 1st Substitute S.B. 15. The motion passed with a vote of 13 - 0 - 3.

Yeas - 13

Rep. M. Ballard
Rep. J. Burton
Rep. J. Dunnigan
Rep. J. Kyle
Rep. A. Maloy
Rep. A. Matthews
Rep. H. Nguyen
Rep. T. Peterson
Rep. C. Roberts
Rep. J. Sawyer
Rep. J. Teuscher
Rep. N. Thurston
Rep. S. Whyte

Nays - 0Absent - 3

Rep. K. Ivory
Rep. M. Schultz
Rep. R. Wilcox

MOTION: Rep. Peterson moved to pass 1st Substitute S.B. 15 out favorably. The motion passed with a vote of 13 - 0 - 3.

Yeas - 13

Rep. M. Ballard
Rep. J. Burton
Rep. J. Dunnigan
Rep. J. Kyle
Rep. A. Maloy
Rep. A. Matthews
Rep. H. Nguyen
Rep. T. Peterson
Rep. C. Roberts
Rep. J. Sawyer
Rep. J. Teuscher
Rep. N. Thurston
Rep. S. Whyte

Nays - 0

Absent - 3

Rep. K. Ivory
Rep. M. Schultz
Rep. R. Wilcox

4. H.B. 361 Opioid Overdose Training Amendments (Thompson, J.)

Rep. Jason Thompson presented the bill to the committee.

MOTION: Rep. Kyle moved to replace H.B. 361 with 3rd Substitute H.B. 361. The motion passed with a vote of 13 - 0 - 3.

Yeas - 13

Rep. M. Ballard
Rep. J. Burton
Rep. J. Dunnigan
Rep. J. Kyle
Rep. A. Maloy
Rep. A. Matthews
Rep. H. Nguyen
Rep. T. Peterson
Rep. C. Roberts
Rep. J. Sawyer
Rep. J. Teuscher
Rep. N. Thurston
Rep. S. Whyte

Nays - 0

Absent - 3

Rep. K. Ivory
Rep. M. Schultz
Rep. R. Wilcox

MOTION: Rep. Peterson moved to pass 3rd Substitute H.B. 361 out favorably. The motion passed with a vote of 13 - 0 - 3.

Yeas - 13

Rep. M. Ballard
Rep. J. Burton
Rep. J. Dunnigan
Rep. J. Kyle
Rep. A. Maloy
Rep. A. Matthews
Rep. H. Nguyen
Rep. T. Peterson
Rep. C. Roberts
Rep. J. Sawyer
Rep. J. Teuscher
Rep. N. Thurston
Rep. S. Whyte

Nays - 0

Absent - 3

Rep. K. Ivory
Rep. M. Schultz
Rep. R. Wilcox

5. S.B. 70 Consumer Reporting Amendments (*Pitcher, S.*)

Rep. Teuscher presented the bill to the committee.

MOTION: Rep. Peterson moved to pass S.B. 70 out favorably. The motion passed with a vote of 13 - 0 - 3.

Yeas - 13

Rep. M. Ballard
Rep. J. Burton
Rep. J. Dunnigan
Rep. J. Kyle
Rep. A. Maloy
Rep. A. Matthews
Rep. H. Nguyen
Rep. T. Peterson
Rep. C. Roberts
Rep. J. Sawyer
Rep. J. Teuscher
Rep. N. Thurston
Rep. S. Whyte

Nays - 0Absent - 3

Rep. K. Ivory
Rep. M. Schultz
Rep. R. Wilcox

MOTION: Rep. Kyle moved to place S.B. 70 on the Consent Calendar. The motion passed with a vote of 13 - 0 - 3.

Yeas - 13

Rep. M. Ballard
Rep. J. Burton
Rep. J. Dunnigan
Rep. J. Kyle
Rep. A. Maloy
Rep. A. Matthews
Rep. H. Nguyen
Rep. T. Peterson
Rep. C. Roberts
Rep. J. Sawyer
Rep. J. Teuscher
Rep. N. Thurston
Rep. S. Whyte

Nays - 0Absent - 3

Rep. K. Ivory
Rep. M. Schultz
Rep. R. Wilcox

6. S.B. 189 Child Care Services Amendments (*Escamilla, L.*)

Sen. Luz Escamilla presented the bill to the committee.

Kory Holdaway, Utah Private Child Care Association, spoke to the bill.

MOTION: Rep. Matthews moved to replace S.B. 189 with 1st Substitute S.B. 189. The motion passed with a vote of 14 - 0 - 2.

Yeas - 14

Rep. M. Ballard
Rep. J. Burton
Rep. J. Dunnigan
Rep. J. Kyle
Rep. A. Maloy
Rep. A. Matthews
Rep. H. Nguyen
Rep. T. Peterson
Rep. C. Roberts
Rep. J. Sawyer
Rep. J. Teuscher
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Nays - 0Absent - 2

Rep. K. Ivory
Rep. M. Schultz

MOTION: Rep. Matthews moved to pass 1st Substitute S.B. 189 out favorably.

SUBSTITUTE MOTION: Rep. Ballard moved to hold 1st Substitute S.B. 189. The substitute motion failed with a vote of 4 - 6 - 6.

Yeas - 4

Rep. M. Ballard
Rep. J. Burton
Rep. A. Maloy
Rep. S. Whyte

Nays - 6

Rep. J. Dunnigan
Rep. J. Kyle
Rep. A. Matthews
Rep. H. Nguyen
Rep. T. Peterson
Rep. C. Roberts

Absent - 6

Rep. K. Ivory
Rep. J. Sawyer
Rep. M. Schultz
Rep. J. Teuscher
Rep. N. Thurston
Rep. R. Wilcox

The underlying motion passed with a vote of 6 - 5 - 5.

Yeas - 6

Rep. M. Ballard
Rep. J. Burton
Rep. J. Dunnigan
Rep. J. Kyle
Rep. A. Matthews
Rep. H. Nguyen

Nays - 5

Rep. A. Maloy
Rep. T. Peterson
Rep. C. Roberts
Rep. N. Thurston
Rep. S. Whyte

Absent - 5

Rep. K. Ivory
Rep. J. Sawyer
Rep. M. Schultz
Rep. J. Teuscher
Rep. R. Wilcox

7. 1st Sub. H.B. 419 Real Estate Revisions (Walter, N.)

Rep. Neil Walter presented the bill to the committee and provided a handout.

[Real Estate Revisions document](#)

Leigh Veillette, Director, Division of Real Estate, spoke to the bill.

Cate Klutt, Utah Association of Realtors, spoke in support of the bill.

MOTION: Rep. Matthews moved to amend 1st Substitute H.B. 419 with Amendment #1. The motion passed with a vote of 10 - 0 - 6.

Amendment 1

1. Line 157 through 160:

157 As used in this chapter:

158 (1) "Admonition" means a nonpublic public discipline that declares the conduct of a person as

159 improper and does not include the name of the person identify the person.
160 (2)(a)"Advertisement" means a notice or announcement meant to:

2 . Line 693 through 702:

693 served.]
694 [(e)][b] The division may commence {a disciplinary action}an adjudicative proceeding under this chapter
after the
695 time period described in Subsection (5)(a) or (b) expires if:
696 (i) (A) the disciplinary actionadjudicative proceeding is in response to a civil or criminal judgment or
697 settlement; and
698 (B) the division initiates the disciplinary actioncommences an adjudicative proceeding no later than one
year after the day
699 on which the judgment is issued or the settlement is final; or
700 (ii) the division and the person subject to {a disciplinary action}an adjudicative proceeding enter into a
written
701 stipulation to extend the time period described in Subsection (5)(a) or (b).
(c)The time period described in Subsection (5)(a) is tolled during the division's enforcement of a subpoena under
Subsection (4), including any resulting appeals.
702 (6)(a)The division may publish notices of admonition, reprimand, suspension,

Yeas - 10

Rep. M. Ballard
Rep. J. Burton
Rep. J. Dunnigan
Rep. J. Kyle
Rep. A. Maloy
Rep. A. Matthews
Rep. H. Nguyen
Rep. C. Roberts
Rep. N. Thurston
Rep. S. Whyte

Nays - 0

Absent - 6

Rep. K. Ivory
Rep. T. Peterson
Rep. J. Sawyer
Rep. M. Schultz
Rep. J. Teuscher
Rep. R. Wilcox

MOTION:

Rep. Dunnigan moved to pass 1st Substitute H.B. 419 out favorably as amended. The motion
passed with a vote of 10 - 0 - 6.

Yeas - 10

Rep. M. Ballard
Rep. J. Burton
Rep. J. Dunnigan
Rep. J. Kyle
Rep. A. Maloy
Rep. A. Matthews
Rep. H. Nguyen
Rep. C. Roberts
Rep. N. Thurston
Rep. S. Whyte

Nays - 0

Absent - 6

Rep. K. Ivory
Rep. T. Peterson
Rep. J. Sawyer
Rep. M. Schultz
Rep. J. Teuscher
Rep. R. Wilcox

MOTION:

Rep. Dunnigan moved to place 1st Substitute H.B. 419 on the Consent Calendar. The motion
passed with a vote of 10 - 0 - 6.

Yeas - 10
Rep. M. Ballard
Rep. J. Burton
Rep. J. Dunnigan
Rep. J. Kyle
Rep. A. Maloy
Rep. A. Matthews
Rep. H. Nguyen
Rep. C. Roberts
Rep. N. Thurston
Rep. S. Whyte

Nays - 0

Absent - 6
Rep. K. Ivory
Rep. T. Peterson
Rep. J. Sawyer
Rep. M. Schultz
Rep. J. Teuscher
Rep. R. Wilcox

8. H.B. 485 Residential Notification Amendments (*Fitisemanu, J.*)

Rep. Jake Fitisemanu presented the bill and provided chocolate to the committee.

MOTION: Rep. Burton moved to replace H.B. 485 with 1st Substitute H.B. 485. The motion passed with a vote of 10 - 0 - 6.

Yeas - 10
Rep. M. Ballard
Rep. J. Burton
Rep. J. Dunnigan
Rep. J. Kyle
Rep. A. Maloy
Rep. A. Matthews
Rep. H. Nguyen
Rep. T. Peterson
Rep. N. Thurston
Rep. S. Whyte

Nays - 0

Absent - 6
Rep. K. Ivory
Rep. C. Roberts
Rep. J. Sawyer
Rep. M. Schultz
Rep. J. Teuscher
Rep. R. Wilcox

MOTION: Rep. Burton moved to amend 1st Substitute H.B. 485 with Amendment #2. The motion passed with a vote of 10 - 0 - 6.

Amendment 2

1. Line 24 through 30:

24 Notification of local government.
25 (1)As used in this section, "regulated residential facility" means a licensed or certified:
26 (a) residential treatment program;
27 (b) residential support program;
28 (c) recovery residence; or
29 (d) facility that provides social detoxification services.
30 [(1)](2) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking

2. Line 59 through 63:

59 county, the county in which the residential treatment program will be located.
60 (6) At least 30 days before beginning to provide Within 30 days of providing services, a regulated residential facility shall provide
61 notice of the facility's intent to begin operations to each property located within 300 feet
62 of the location where the regulated residential facility will be located by:
63 (a) mailing notice to the property or residence; or

3. Line 76 through 82:

76 (b) The notice described in Subsection (6) shall include the following information

77 relating to the regulated residential facility:
78 (i)the location where the regulated residential facility will be operated;
79 (ii)a description of the regulated residential facility's treatment focus; and
80 (iii)contact information, including a telephone number and an email address, for a
81 representative of the regulated residential facility.
82 [6][8] When submitting an application for a license to operate a residential treatment

Yeas - 10 Nays - 0

Rep. M. Ballard
Rep. J. Burton
Rep. J. Dunnigan
Rep. J. Kyle
Rep. A. Maloy
Rep. A. Matthews
Rep. H. Nguyen
Rep. T. Peterson
Rep. N. Thurston
Rep. S. Whyte

Absent - 6

Rep. K. Ivory
Rep. C. Roberts
Rep. J. Sawyer
Rep. M. Schultz
Rep. J. Teuscher
Rep. R. Wilcox

MOTION: Rep. Burton moved to pass 1st Substitute H.B. 485 out favorably as amended. The motion passed with a vote of 7 - 3 - 6.

<u>Yea</u> s - 7	<u>Nay</u> s - 3
Rep. M. Ballard	Rep. J. Dunnigan
Rep. J. Burton	Rep. N. Thurston
Rep. J. Kyle	Rep. S. Whyte
Rep. A. Maloy	
Rep. A. Matthews	
Rep. H. Nguyen	
Rep. T. Peterson	

Absent - 6
Rep. K. Ivory
Rep. C. Roberts
Rep. J. Sawyer
Rep. M. Schultz
Rep. J. Teuscher
Rep. R. Wilcox

MOTION: Rep. Burton moved to adjourn. The motion passed with a vote of 10 - 0 - 6.

<u>Yeas - 10</u>	<u>Nays - 0</u>
Rep. M. Ballard	
Rep. J. Burton	
Rep. J. Dunnigan	
Rep. J. Kyle	
Rep. A. Maloy	
Rep. A. Matthews	
Rep. H. Nguyen	
Rep. T. Peterson	
Rep. N. Thurston	
Rep. S. Whyte	

Absent - 6
Rep. K. Ivory
Rep. C. Roberts
Rep. J. Sawyer
Rep. M. Schultz
Rep. J. Teuscher
Rep. R. Wilcox

Chair Maloy adjourned the meeting at 6:38 p.m.