



MINUTES

HEALTH AND HUMAN SERVICES INTERIM COMMITTEE

LEGISLATURE

Wednesday, November 17, 2021 | 8:00 a.m. | 30 House Building

Members Present:

Sen. Michael S. Kennedy, Chair
Rep. Merrill F. Nelson, Chair
Sen. Jacob L. Anderegg
Sen. Luz Escamilla
Sen. Evan J. Vickers
Rep. Cheryl K. Acton
Rep. Stewart E. Barlow
Rep. Jennifer Dailey-Provost
Rep. Steve Eliason
Rep. Suzanne Harrison
Rep. Sandra Hollins
Rep. Marsha Judkins
Rep. Kelly B. Miles

Rep. Candice B. Pierucci

Rep. Paul Ray
Rep. Robert M. Spendlove
Rep. Raymond P. Ward

Members Absent:

President J. Stuart Adams

Staff Present:

Seth Anderson, Policy Analyst
Mark D. Andrews, Policy Analyst
Daniel M. Cheung, Associate General Counsel
Ericka A. Evans, Managing Associate General Counsel
Christopher Williams, Associate General Counsel
Amy Hawkes, Administrative Assistant

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

Chair Kennedy called the meeting to order at 8:03 a.m.

1. State Agency Realignment

Tracy Gruber, Executive Director, Department of Human Services, gave an update on the realignment of the Utah Department of Health and the Utah Department of Human Services and answered committee questions.

2.1 DRAFT LEGISLATION: Department of Health and Human Services Amendments

Sen. Anderegg presented draft legislation "Department of Health and Human Services Amendments" (2022FL-0819/002) and answered committee questions.

MOTION: Rep. Nelson moved to favorably recommend "Department of Health and Human Services Amendments" as a committee bill. The motion passed with a vote of 14 - 0 - 4.

Yea - 14
Rep. C. Acton
Sen. J. Anderegg
Rep. S. Barlow
Rep. J. Dailey-Provost
Rep. S. Eliason
Rep. S. Harrison
Rep. S. Hollins
Rep. M. Judkins
Sen. M. Kennedy
Rep. K. Miles
Rep. M. Nelson
Rep. R. Spendlove
Sen. E. Vickers
Rep. R. Ward

Nays - 0

Absent - 4
Sen. J. Adams
Sen. L. Escamilla
Rep. C. Pierucci
Rep. P. Ray

2. Participation by Transgender Youth in School Sports

[3.1 DRAFT LEGISLATION: Student Athletics Participation](#)

Rep. Kera Birkeland presented draft legislation "Student Athletics Participation" (2022FL-0212/002) and answered committee questions.

Clifford Rosky, Professor of Constitutional Law, S.J. Quinney College of Law, University of Utah, speaking on behalf of Equality Utah, shared his concerns with the legislation and answered committee questions.

Sue Robbins, Equality Utah Transgender Advisory Council, spoke against the bill.

Elizabeth Converse, Director of Operations, Silicon Slopes Commons, spoke against the bill and answered committee questions.

Heidi Matthews, President, Utah Education Association, spoke against the bill.

Marina Lowe, ACLU of Utah, spoke against the bill.

MOTION: Rep. Pierucci moved to favorably recommend "Student Athletics Participation" as a committee bill with an amendment on line 46 to replace the number '7' with the number '9.' The motion passed with a vote of 13 - 3 - 2.

Yea - 13
Rep. C. Acton
Sen. J. Anderegg
Rep. S. Barlow
Rep. S. Eliason
Rep. M. Judkins
Sen. M. Kennedy
Rep. K. Miles
Rep. M. Nelson
Rep. C. Pierucci
Rep. P. Ray
Rep. R. Spendlove
Sen. E. Vickers
Rep. R. Ward

Nays - 3
Rep. J. Dailey-Provost
Rep. S. Harrison
Rep. S. Hollins

Absent - 2
Sen. J. Adams
Sen. L. Escamilla

3. Healthcare Worker Protections

[4.1 DRAFT LEGISLATION: Healthcare Worker Protection Amendments](#)

Rep. Spendlove presented "Healthcare Worker Protections Amendments" (2022FL-0622/008) and answered committee questions.

Maryann Martindale, Executive Director, Utah Academy of Family Physicians, spoke in support of the bill.

Michelle McOmber, CEO, Utah Medical Association, spoke in support of the bill.

Diane Forster-Burke, Utah Nurses Association, spoke in support of the bill.

MOTION: Rep. Ray moved to favorably recommend "Healthcare Worker Protection Amendments" as a committee bill. The motion passed with a vote of 14 - 0 - 4.

Yeas - 14
Rep. C. Acton
Sen. J. Anderegg
Rep. S. Barlow
Rep. J. Dailey-Provost
Rep. S. Eliason
Rep. S. Hollins
Rep. M. Judkins
Sen. M. Kennedy
Rep. K. Miles
Rep. M. Nelson
Rep. C. Pierucci
Rep. P. Ray
Rep. R. Spendlove
Sen. E. Vickers

Nays - 0

Absent - 4
Sen. J. Adams
Sen. L. Escamilla
Rep. S. Harrison
Rep. R. Ward

4. Behavioral Health Services Amendments

Rep. Nelson assumed the chair.

5.1.1 DRAFT LEGISLATION: Behavioral Health Services Amendments

Sen. Kennedy presented "Behavioral Health Services Amendments" (2022FL-0734/006) and answered committee questions.

Dr. Jeff David, Medical Director, Weber Human Services, shared his experience working with patients who have mental health and substance use issues. He also shared some helpful changes in patient care that Weber Human Services has implemented and answered committee questions.

Richard Nance introduced Dr. Bush.

Dr. Robert Joel Bush, Board Certified Addiction Medicine Physician, Intermountain Healthcare, shared his experience with the use of buprenorphine and methadone in treating substance use addiction and how this legislation would help reduce waste of these medications. He also answered committee questions.

Michelle McOmber spoke in favor of the bill.

MOTION: Sen. Anderegg moved to favorably recommend "Behavioral Health Services Amendments" as a committee bill. The motion passed with a vote of 15 - 0 - 3.

Yeas - 15
Rep. C. Acton
Sen. J. Anderegg
Rep. S. Barlow
Rep. J. Dailey-Provost
Rep. S. Eliason
Rep. S. Hollins
Rep. M. Judkins
Sen. M. Kennedy
Rep. K. Miles
Rep. M. Nelson
Rep. C. Pierucci
Rep. P. Ray
Rep. R. Spendlove
Sen. E. Vickers
Rep. R. Ward

Nays - 0

Absent - 3
Sen. J. Adams
Sen. L. Escamilla
Rep. S. Harrison

Sen. Kennedy resumed the chair.

5. Committee Business

MOTION: Sen. Anderegg moved to approve the minutes of the October 20, 2021, meeting. The motion passed with a vote of 15 - 0 - 3.

Yeas - 15
Rep. C. Acton
Sen. J. Anderegg
Rep. S. Barlow
Rep. J. Dailey-Provost
Rep. S. Eliason
Rep. S. Hollins
Rep. M. Judkins
Sen. M. Kennedy
Rep. K. Miles
Rep. M. Nelson
Rep. C. Pierucci
Rep. P. Ray
Rep. R. Spendlove
Sen. E. Vickers
Rep. R. Ward

Nays - 0

Absent - 3
Sen. J. Adams
Sen. L. Escamilla
Rep. S. Harrison

6. Sunset Reviews

[6.1 DRAFT LEGISLATION: Clinical Mental Health Counselor Licensing Amendments](#)

Daniel Cheung briefly explained draft legislation "Clinical Mental Health Counselor Licensing Amendments" (2022FL-0812/003).

MOTION: Rep. Nelson moved to favorably recommend "Clinical Mental Health Counselor Licensing Amendments" as a committee bill. The motion passed with a vote of 14 - 0 - 4.

Yeas - 14
Rep. C. Acton
Sen. J. Anderegg
Rep. S. Barlow
Rep. J. Dailey-Provost
Rep. S. Eliason
Rep. M. Judkins
Sen. M. Kennedy
Rep. K. Miles
Rep. M. Nelson
Rep. C. Pierucci
Rep. P. Ray
Rep. R. Spendlove
Sen. E. Vickers
Rep. R. Ward

Nays - 0

Absent - 4
Sen. J. Adams
Sen. L. Escamilla
Rep. S. Harrison
Rep. S. Hollins

[6.3 DRAFT LEGISLATION: Extension for Controlled Substance Prescription Requirements](#)

Daniel Cheung briefly explained draft legislation "Extension for Controlled Substance Prescription Requirements" (2022FL-0811/002).

MOTION: Rep. Nelson moved to favorably recommend "Extension for Controlled Substance Prescription Requirements" as a committee bill. The motion passed with a vote of 14 - 0 - 4.

Yeas - 14
Rep. C. Acton
Sen. J. Anderegg
Rep. S. Barlow
Rep. J. Dailey-Provost
Rep. S. Eliason
Rep. M. Judkins
Sen. M. Kennedy
Rep. K. Miles
Rep. M. Nelson
Rep. C. Pierucci
Rep. P. Ray
Rep. R. Spendlove
Sen. E. Vickers
Rep. R. Ward

Nays - 0

Absent - 4
Sen. J. Adams
Sen. L. Escamilla
Rep. S. Harrison
Rep. S. Hollins

[6.5 DRAFT LEGISLATION: Utah Substance Abuse and Mental Health Advisory Council Sunset Extension](#)

Daniel Cheung briefly explained draft legislation "Utah Substance Abuse and Mental Health Advisory Council Sunset Extension" (2022FL-0813/003).

MOTION: Rep. Ray moved to favorably recommend "Utah Substance Abuse and Mental Health Advisory Council Sunset Extension" as a committee bill. The motion passed with a vote of 14 - 0 - 4.

Yeas - 14
Rep. C. Acton
Sen. J. Anderegg
Rep. S. Barlow
Rep. J. Dailey-Provost
Rep. S. Eliason
Rep. M. Judkins
Sen. M. Kennedy
Rep. K. Miles
Rep. M. Nelson
Rep. C. Pierucci
Rep. P. Ray
Rep. R. Spendlove
Sen. E. Vickers
Rep. R. Ward

Nays - 0

Absent - 4
Sen. J. Adams
Sen. L. Escamilla
Rep. S. Harrison
Rep. S. Hollins

6.2 DRAFT LEGISLATION: Coordinating Council for Persons with Disabilities Sunset Extension

Ericka Evans briefly explained draft legislation "Coordinating Council for Persons with Disabilities Sunset Extension" (2022FL-0834/006).

MOTION: Rep. Nelson moved to favorably recommend "Coordinating Council for Persons with Disabilities Sunset Extension" as a committee bill. The motion passed with a vote of 13 - 0 - 5.

Yeas - 13
Rep. C. Acton
Rep. S. Barlow
Rep. J. Dailey-Provost
Rep. S. Eliason
Rep. M. Judkins
Sen. M. Kennedy
Rep. K. Miles
Rep. M. Nelson
Rep. C. Pierucci
Rep. P. Ray
Rep. R. Spendlove
Sen. E. Vickers
Rep. R. Ward

Nays - 0

Absent - 5
Sen. J. Adams
Sen. J. Anderegg
Sen. L. Escamilla
Rep. S. Harrison
Rep. S. Hollins

6.4 DRAFT LEGISLATION: Study On State Hospital Capacity Sunset Amendments

Ericka Evans briefly explained draft legislation "Study on State Hospital Capacity Sunset Amendments" (2022FL-0833/004) and answered committee questions.

Dallas Earnshaw, Superintendent, Utah State Hospital, answered a committee question.

MOTION: Rep. Ray moved to favorably recommend "Study on State Hospital Capacity Sunset Amendments" as a committee bill. The motion passed with a vote of 13 - 0 - 5.

Yea - 13
Rep. C. Acton
Sen. J. Anderegg
Rep. S. Barlow
Rep. J. Dailey-Provost
Rep. S. Eliason
Rep. M. Judkins
Sen. M. Kennedy
Rep. M. Nelson
Rep. C. Pierucci
Rep. P. Ray
Rep. R. Spendlove
Sen. E. Vickers
Rep. R. Ward

Nays - 0

Absent - 5
Sen. J. Adams
Sen. L. Escamilla
Rep. S. Harrison
Rep. S. Hollins
Rep. K. Miles

7. Electronic Cigarette Substance Standards

Rep. Ray provided background on an administrative rule put in place by the Utah Department of Health related to electronic cigarettes.

Nate Checketts, Executive Director, Utah Department of Health, gave a brief overview of the administrative rule.

[**7.1 PRESENTATION: Administrative Rule R384-415 Requirements to Sell Electronic Cigarette Products \(Source: Utah Department of Health\)**](#)

Braden Ainsworth, Program Manager, Tobacco Prevention and Control Program, Utah Department of Health, gave a presentation on administrative rule R384-415 and answered committee questions.

Nate Checketts shared information on a current legal challenge to this administrative rule.

8. Youth Suicide Report

[**8.2 PRESENTATION: The Utah Youth Suicide Research Project: A Progress Report \(Source: Utah Department of Health\)**](#)

Dr. Michael Staley, Suicide Prevention Research Coordinator, Office of the Medical Examiner, Utah Department of Health, gave a progress report on the Utah Youth Suicide Research Project and answered committee questions.

Rep. Pierucci shared an idea for legislation that she will be working on for the 2022 General Session related to the Utah Department of Health's data collection and reporting.

Maryann Martindale helped explain upcoming draft legislation based on primary healthcare spending data and reporting.

Chair Kennedy thanked the committee staff and committee members for their work this interim.

[**9.1 Food Security Task Force Report \(Source: Food Security Task Force\)**](#)

Sen. Escamilla gave an update on the Food Security Task Force.

9. Adjourn

MOTION: Rep. Pierucci moved to adjourn. The motion passed with a vote of 14 - 0 - 4.



Yea - 14

Rep. C. Acton
Sen. J. Anderegg
Rep. S. Barlow
Rep. J. Dailey-Provost
Sen. L. Escamilla
Rep. S. Harrison
Rep. M. Judkins
Sen. M. Kennedy
Rep. K. Miles
Rep. M. Nelson
Rep. C. Pierucci
Rep. P. Ray
Rep. R. Spendlove
Rep. R. Ward

Nays - 0

Absent - 4

Sen. J. Adams
Rep. S. Eliason
Rep. S. Hollins
Sen. E. Vickers

Chair Kennedy adjourned the meeting at 10:45 a.m.