

**MINUTES OF THE
HEALTH AND HUMAN SERVICES INTERIM COMMITTEE**
Wednesday, October 18, 2006 – 2:00 p.m. – Room W020 House Building

Members Present:

Sen. Allen M. Christensen, Senate Chair
Rep. Bradley G. Last, House Chair
Sen. Scott D. McCoy
Rep. D. Gregg Buxton
Rep. Patricia W. Jones
Rep. David Litvack
Rep. Rebecca D. Lockhart
Rep. Steven R. Mascaró
Rep. Ronda Rudd Menlove
Rep. Paul Ray

Members Absent:

Sen. Sheldon L. Killpack
Sen. Peter C. Knudson
Rep. Wayne A. Harper

Staff Present:

Mr. Mark D. Andrews, Policy Analyst
Ms. Catherine J. Dupont, Associate General Counsel
Mr. Thomas R. Vaughn, Associate General Counsel
Ms. Joy L. Miller, Legislative Secretary

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

1. Committee Business

Chair Last called the meeting to order at 2:15 p.m.

MOTION: Rep. Buxton moved to approve the minutes of the September 20, 2006 meeting. The motion passed unanimously.

2. Mental Health—Follow-up Report by the Futures Committee

Ms. Lisa-Michelle Church, Executive Director, Department of Human Services, distributed "Utah Recovery Model for Mental Health and Substance Abuse - Discussion Draft." She said there are over 250,000 people in Utah in need of mental health treatment. Approximately half of those needing services receive treatment. She cited examples of some success stories that should encourage the Legislature to adopt the recovery model and the proposed funding strategy.

Mr. Jack Tanner, Director/CEO, Utah Behavioral Healthcare Network, distributed a copy of his presentation and a pamphlet, "Utah Network of Care for Mental Health & Substance Abuse." He discussed why changes in services for mental health and substance abuse are needed. He said the model will take into account the unique strengths, needs, experiences, and cultural background of each individual to guide treatment.

3. Use of Epinephrine Auto-Injectors—Follow-up

Dr. Mark Bair, President-elect, Utah Medical Association, said that there is a potential for abuse of epinephrine when used outside of its intended purpose. However, epinephrine has a high safety margin when used appropriately.

Rep. Todd Kiser discussed 2007 General Session draft legislation, "Emergency Administration of Epinephrine." He indicated that allergic reactions are becoming increasingly threatening. The legislation proposes to authorize the administration of epinephrine by auto-injector in an emergency by a person certified by the Department of Health.

MOTION: Rep. Buxton moved to adopt "Emergency Administration of Epinephrine" as a committee bill. The motion passed unanimously.

4. Controlled Substance Database—Follow-up

Rep. Menlove reviewed 2007 General Session draft legislation, "Controlled Substance Database Amendments." She explained that the legislation would provide limited access to the controlled substance database for practitioners for the purpose of inquiring whether the practitioner's Drug Enforcement Agency number has been fraudulently used by another person. Law enforcement authorities would also be provided limited access to the database when investigating insurance, Medicaid, or Medicare fraud.

MOTION: Rep. Lockhart moved to adopt "Controlled Substance Database Amendments" as a committee bill. The motion passed unanimously.

5. Definition of "Designated Mental Retardation Professional"

Rep. Menlove discussed 2007 General Session draft legislation, "Designated Mental Retardation Professional Amendments." The bill would add licensed marriage and family therapists and professional counselors to the list of mental health professionals that may become qualified as mental retardation professionals.

Dr. George Kelner, Department of Human Services, expressed his support in adding these two professions to the group of people that would contract with the department to provide this service.

Dr. Nathan Wood, President-elect, Utah Association for Marriage and Family Therapy, said the association would like to have an opportunity to seek a designation of mental retardation professional for its members. He spoke in support of the legislation.

MOTION: Rep. Jones moved to adopt "Designated Mental Retardation Professional Amendments" as a committee bill. The motion passed unanimously.

6. Utah Commission on Aging

Ms. Norma Matheson, Commission (Utah Commission on Aging), explained that the Commission was created to address the unprecedented demographic change in Utah's aging population. She stated the importance of educating the upcoming senior population.

Ms. Maureen Henry, Executive Director, Commission, distributed "Utah Commission on Aging Report to the Health and Human Services Interim Committee." She discussed some examples of projects that have been completed by the Commission or are in progress. She said the Commission is collaborating with the Departments of Workforce Services and Health to develop a better referral service and are attempting to avoid duplicating services provided by other entities.

Sen. Lyle Hillyard discussed 2007 General Session draft legislation, "Exploitation of a Vulnerable Adult Amendments." The bill provides that a court may, under certain circumstances, award court costs and

reasonable attorney fees to a prevailing party in an action for exploitation of a vulnerable adult.

MOTION: Sen. McCoy moved to adopt "Exploitation of a Vulnerable Adult Amendments" as a committee bill. The motion passed unanimously. Rep. Lockhart and Rep. Mascaro were absent for the vote.

Ms. Henry reviewed 2007 General Session draft legislation, "Probate Code Amendments." The bill would increase the total amount of an estate which may be settled by affidavit from \$25,000 to \$75,000 and would allow for the amount to be adjusted yearly for inflation.

MOTION: Sen. McCoy moved to adopt "Probate Code Amendments" as a committee bill. The motion passed unanimously. Rep. Lockhart and Rep. Mascaro were absent for the vote.

Ms. Henry indicated the Commission is working on developing legislation regarding the Utah Personal Choice and Living Will Act. She distributed and reviewed "Summary of Recommended Revisions to the Utah Personal Choice and Living Will Act." She explained the Commission is scheduled to sunset in June 2007.

Dr. Mark Supiano, University of Utah, spoke in support of sustaining the work of the Commission. He stated that Governor Huntsman has asked the University to consider hosting the Commission's work within its Center on Aging. Dr. Supiano indicated that arrangement would strengthen linkages between the Commission and the center.

7. Adoption

Rep. Sheryl Allen and Mr. Larry Jenkins, Utah Adoption Council, discussed 2007 General Session draft legislation, "Adoption Amendments." Mr. Jenkins distributed a list of sections affected by the proposed bill which, among other things, modifies the background check requirements with regard to a prospective adoptive parent who is not a resident of Utah and modifies and clarifies requirements necessary for an unmarried biological father to preserve his right to notice and consent for an adoption.

Rep. Last requested members review the legislation and consider action at the next meeting.

8. Other Items / Adjourn

Chair Last indicated that a letter was distributed to the members from Mr. Kent Michie, Insurance Commissioner, to comply with reporting requirements.

Chair Last adjourned the meeting at 4:05 p.m.