

**MINUTES OF THE
HEALTH AND HUMAN SERVICES INTERIM COMMITTEE**
Wednesday, October 17, 2007 – 9:00 a.m. – Room W020 House Building

Members Present:

Sen. D. Chris Buttars, Senate Chair
Rep. Paul Ray, House Chair
Sen. Allen M. Christensen
Sen. Jon J. Greiner
Sen. Scott D. McCoy
Rep. John Dougall
Rep. Jack R. Draxler
Rep. Julie Fisher
Rep. Wayne A. Harper
Rep. David Litvack

Rep. Rosalind J. McGee
Rep. Ronda Rudd Menlove
Rep. Phil Riesen
Rep. Stephen E. Sandstrom

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 Buttars called the meeting to order at 9:05 a.m.

Ms. Lisa Thornton, President, Utah Parents Group for Families with PWS (Prader-Willi Syndrome), distributed a folder of information regarding PWS and discussed the symptoms of the disease. She pointed out the need for a case manager who would advocate for PWS and help bring accountability for consistent best practices.

Ms. Emily Miller, mother of a child with PWS, discussed the problems she deals with on a daily basis and the devastating effect her son's behavior has on the entire family.

Mr. Sid Thornton, father of a child with PWS, discussed how having a case manager to coordinate the care of PWS would be cost effective to the state and help facilitate research. He stated PWS is too complex to be properly managed by families alone.

Rep. McGee requested staff work with the Office of the Legislative Fiscal Analyst for an appropriation for a case manager.

Chair Buttars indicated he would bring the issue before the Committee next month for further consideration.

2. Resolution on Obesity

Chair Buttars briefly discussed 2008 General Session draft legislation, "Resolution Supporting Obesity Awareness."

Ms. Genevieve Winegar, Vice President, Utah Obesity Coalition, said the resolution urges health care suppliers, communities, and schools to develop awareness programs that concentrate on the causes, treatment, and prevention of obesity.

Mr. Jeff Buel, Director State Government Affairs, Johnson & Johnson, indicated state legislators can push the health care system to fight obesity by establishing minimum insurance coverage requirements for obesity prevention and treatments, encouraging providers and consumers to adopt best practices in treating and preventing obesity, and encouraging worksite wellness and employee benefit programs.

Handouts distributed to the Committee include the following: "Medical Co-Morbidities," "Beyond Cost Containment: State Policies that Support Health Care Solutions for Obesity," "Utah Partnership for Healthy Weight Membership," and "Overview of Bariatric Surgery as a Treatment for Obesity."

MOTION: Rep. Dougall moved to adopt the bill as a committee bill with the following amendments:

Page 1, Line 12: Delete "January, February, and"

Page 2, Line 50: Delete "January, February, and"

The motion passed unanimously. Sen. Greiner and Rep. McGee were absent for the vote.

3. Funding Services for Persons with a Disability

Ms. Lisa-Michele Church, Executive Director, Department of Human Services, distributed and discussed "Funding Services for Persons with a Disability." She outlined three proposals for the Legislature's consideration: (1) continue the existing practice, (2) continue the existing practice plus new respite and after school programs, or (3) fund the entire waiting list plus growth with comprehensive services.

Ms. Lynel Miller, Division of Services for People with Disabilities Board, distributed a letter to the Committee. She recommended the Legislature provide new funding to continue to reduce the waiting list, to increase funding for direct care staff wages and infrastructure, to reduce the waiting list through innovative strategies, and to continue discussion of the most effective way to distribute waiting list funds.

Mr. Andrew Riggle, Disability Law Center, distributed a written copy of his testimony. He posed questions and recommendations to the Committee that he hoped would help identify and implement sustainable solutions to the waiting list.

4. Utah Methamphetamine Joint Task Force Update

Ms. Church distributed "Meth and Families: All-Day Workshop," and a packet of information on the public awareness campaign regarding methamphetamine use in the state. She showed the Committee some commercials that have been created to make the public aware of the increasing problem.

5. Utah Digital Health Service Commission

Mr. Barry Nangle, Director, Center for Health Data, UDOH (Utah Department of Health), spoke in support of 2008 General Session draft legislation, "Amendments to Utah Digital Health Service Commission Act," version 4. He distributed a copy of his presentation to the Committee.

Dr. Joseph G. Cramer, Chair, Utah Digital Health Service Commission, stressed the importance of getting the right information to the right people in a timely manner.

Rep. Menlove explained that the bill renames the commission, and aligns it more with the UDOH.

MOTION: Rep. Menlove moved to adopt "Amendments to Utah Digital Health Service Commission Act" as a committee bill. The motion passed unanimously. Sen. McCoy and Rep. Dougall were absent for the vote.

6. Exemptions from Child Care Licensing Requirements

Mr. Paul Patrick, Deputy Director, Division of Health Systems Improvement, UDOH, indicated that it is UDOH's responsibility to ensure the safety of all children in child care. He explained that the statutes governing child care licensing need to be clarified.

Ms. Teresa Whiting, Director, Bureau of Child Care Licensing, UDOH, reviewed "Request for Clarification Regarding License Exempt Child Care Providers," which was included in the supplemental mailing packet. She reviewed the types of child care that are exempt from licensure, and outlined three situations in which the bureau is unclear as to whether or how the statute applies.

Rep. McGee suggested staff be directed to meet with the Bureau of Child Care Licensing, the Office of Child Care, and private groups to develop a recommendation for language to clarify the statute that the Committee could consider at the next meeting. Rep. McGee indicated she would work with the group.

Mr. Stan Lockhart, representing the Boys and Girls Club, requested the opportunity to have some input in the process since these decisions will greatly impact that organization.

Mr. Johnnie Anderson, Utah Private Child Care Association, noted that as long as there are loopholes in place, it undermines the intent of the citizens that have the safety of the child in mind.

7. Planning by Local Departments of Health

Mr. Lloyd Berentzen, Health Officer, Bear River Health Department, distributed "SB 46, Local Health Departments Health Amendments," and reviewed what has been done with the \$500,000 of one-time funding appropriated to the UDOH for local health departments. He requested that the Legislature increase funding to local health departments by \$2 million.

8. Organ Donation

Rep. Rebecca Lockhart discussed the importance of organ donation. She outlined the technological advances that have been made in transplantation procedures.

Dr. Jason J. Schwartz, Assistant Professor, General Surgery Faculty, University of Utah School of Medicine, distributed a folder of information concerning "Understanding the Impact of Life Altering Conditions." He responded to questions from the Committee and pointed out that costs related to the donation of organs and tissues are paid for by the donor recipient.

Dr. Timothy J. Gayowski, Professor, General Surgery Faculty, University of Utah School of Medicine, commented that for most donor families organ donation is a rewarding experience.

9. Elder Abuse

Mr. Alan Ormsby, Director, Division of Aging and Adult Services, explained that under Utah's current statute adult protective services are voluntary unless court ordered. He discussed what happens when a vulnerable adult is at risk, but doesn't have the capacity to consent to services. He said the division has a good relationship with law enforcement, but does not have enough teeth in terms of prosecutions.

10. Child Welfare Definitions

Rep. Harper discussed 2008 General Session draft legislation, "Child Welfare Definitions," which was included in the supplemental mailing packet. The bill amends definitions in an attempt to ease administration and provide consistency and clarification.

MOTION: Sen. McCoy moved to place the bill as the first item on the November agenda. The motion passed unanimously. Rep. Litvack and Rep. Riesen were absent for the vote.

11. Surgical Centers

Mr. Jeff Love, President, Utah Ambulatory Surgery Center Association, distributed a copy of his presentation. He explained that currently the ambulatory surgical centers do not have access to 70 percent of the Medicaid population because they are not allowed to be on certain provider panels.

Mr. Francis Gibson, Provo Riverwood Surgery Center, said many providers are moving away from seeing Medicaid patients. He said centers are asking for access to treat these patients funded with tax dollars.

MOTION: Sen. Christensen moved to put the issue second on the November agenda. The motion passed unanimously. Rep. Litvack and Rep. Riesen were absent for the vote.

MOTION: Rep. Ray moved to adjourn. The motion passed unanimously.

Chair Buttars adjourned the meeting at 12:00 p.m.