

**MINUTES OF THE
HEALTH AND HUMAN SERVICES INTERIM COMMITTEE**
Wednesday, October 15, 2008 – 2:00 p.m. – Room C250, State Capitol

Members Present:

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. Rosalind J. McGee
Rep. Stephen E. Sandstrom

Members Absent:

Sen. D. Chris Buttars, Senate Chair
Rep. David Litvack
Rep. Merlynn T. Newbold
Rep. Phil Riesen

Staff Present:

Mr. Mark D. Andrews, Policy Analyst
Ms. Cathy Dupont, Associate General Counsel
Ms. Beverlee LeCheminant, 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 Ray called the meeting to order at 2:30 p.m.

MOTION: Rep. Fisher moved to approve the minutes of the September 17, 2008 meeting. The motion passed unanimously.

2. Health System Reform Task Force

Rep. David Clark, Chair, Health System Reform Task Force, gave an update on the work of the Task Force. He said that the Task Force's mission is to maintain and enhance the quality of health care in Utah and that this year's goal is to respond to the demands of small employers and consumers by laying the foundation for a health care system that is more affordable and provides transparency of cost and value. He noted that the Task Force is focusing on market-driven reform that engages consumers in the decisionmaking process and reduces administrative overhead, and that although compared to other states Utah has a good health care system, the current health care spending trajectory is unsustainable. He reported that there may be eight to ten pieces of legislation introduced during the 2009 Annual General Session to introduce more of the marketplace methodology into the health care system.

Sen. Sheldon Killpack said that not all areas of health care are experiencing phenomenal increases in annual spending. In areas that are completely market driven, where there is complete transparency, and where there is personal responsibility, costs are not only stabilizing, but they are decreasing. He explained that in reform, transparency must come first, then personal responsibility. Reform will take time and patience.

3. Insurance Marketing Policies

Rep. Paul Ray discussed 2009 General Session draft legislation, "Refund of Unearned Health Insurance Premiums and Medicare Supplement Insurance Premiums." He explained that the bill provides that if an insured cancels a health insurance policy or Medicare supplement policy, the insurer shall refund the unearned amount of the collected premium. The bill also provides that if an insurer cancels a health insurance policy or a Medicare supplement policy because of a material misrepresentation on the application, the insurer shall refund all premiums collected, less claims that have been paid.

Ms. Tanji Northrup, Director, Health Division, Utah Insurance Department (Department), stated that the Department has seen an increasing amount of complaints over the last year from persons whose premiums are not being returned to them when they cancel a policy. It is predominately in the Medicare supplement business, but is increasing in the other lines of health insurance also. She indicated that this legislation further defines what the Department determines should be returned.

MOTION: Rep. Harper moved to adopt 2009 General Session draft legislation, "Refund of Unearned Health Insurance Premiums and Medicare Supplement Insurance Premiums" as a committee bill. The motion passed unanimously.

4. Expedited Partner Therapy

Rep. Jennifer Seelig discussed 2009 General Session draft legislation, "Expedited Partner Therapy Treatment." She stated that infectious diseases in the state, specifically chlamydia and gonorrhea, are rising and have been for the last five years. She explained that the draft legislation clarifies what health care practitioners are able to do to stop the spread of these diseases. The draft legislation allows medical practitioners to prescribe a dose of antibiotic to an unnamed partner of an individual with one of these sexually transmitted diseases.

Dr. David N. Sundwall, Executive Director, Utah Department of Health (UDOH), distributed two charts showing a list of infectious diseases that are required to be reported to the UDOH. He said that the UDOH supports the intent of the legislation.

After committee discussion, Rep. Ray said this issue would be put at the top of the agenda for the Committee's next meeting.

5. Sunset Reviews

Concerning the statutes that are scheduled for repeal in 2009, Mr. Andrews indicated that the Committee can recommend that they be allowed to expire, reauthorized, reauthorized with amendments, or removed from the Legislative Oversight and Sunset Act.

Mr. Paul Patrick, Director, Bureau of Emergency Medical Services, UDOH, indicated that the UDOH recommends the Detection of Public Health Emergencies Act be removed from the Legislative Oversight and Sunset Act.

MOTION: Sen. Christensen moved that the Detection of Public Health Emergencies Act (Utah Code Annotated Title 26, Chapter 23b) be removed from the Legislative Oversight and Sunset Act. The motion passed with Rep. Dougall voting in opposition and Sen. McCoy absent for the vote.

Ms. Lisa-Michele Church, Executive Director, Department of Human Services, spoke concerning the Pilot Program for Family Preservation Services (Utah Code Annotated Section 63A-5-103.2) and indicated that she would like the Committee to recommend reauthorization of the program for at least two more years.

MOTION: Sen. Christensen moved to reauthorize the Pilot Program for Family Preservation Services for five years. The motion passed unanimously with Sen. McCoy absent for the vote.

Ms. Maureen Henry, Executive Director, Utah Commission on Aging, indicated that the Commission believes it can continue its work from the University of Utah with private rather than state financial support.

MOTION: Sen. Christensen moved to remove the Utah Commission on Aging from the Legislative Oversight and Sunset Act.

SUBSTITUTE MOTION: Rep. Draxler moved to reauthorize the Utah Commission on Aging for three years. The motion passed with Rep. McGee and Rep. Sandstrom voting in opposition and Sen. McCoy absent for the vote.

6. Emergency Medical Services - Treat and Release Fees

Chair Ray introduced the study topic.

Mr. Paul Patrick, Director, Bureau of Emergency Medical Services, UDOH, reported that the UDOH is planning to repeal the existing fee structure for emergency medical services providers, which includes a "treat and release" fee, and replace it with three fees — a base fee, a fee for mileage, and a fee for supplies. The \$311 (maximum allowable) treat and release fee is charged by only 2 percent of emergency medical services provider agencies and accounts for less than 1 percent of agencies' revenues.

7. Other Business /Adjourn

MOTION: Sen. Christensen moved to adjourn. The motion passed unanimously.

Rep. Ray adjourned the meeting at 4:20 p.m.