

**MINUTES OF THE  
HEALTH AND HUMAN SERVICES INTERIM COMMITTEE**  
Wednesday, June 15, 2016 – 1:15 p.m. – Room 445 State Capitol

**Members Present:**

Sen. Evan J. Vickers, Senate Chair  
Rep. Kay L. McIff, House Chair  
Sen. Allen M. Christensen  
Sen. Mark B. Madsen  
Sen. Brian E. Shiozawa  
Rep. Stewart Barlow  
Rep. Melvin R. Brown  
Rep. Rebecca Chavez-Houck  
Rep. Craig Hall  
Rep. Sandra Hollins  
Rep. Michael S. Kennedy  
Rep. Paul Ray  
Rep. Edward H. Redd

Rep. Robert M. Spendlove  
Rep. Norman K Thurston  
Rep. Raymond P. Ward

**Members Absent:**

Sen. Luz Escamilla

**Staff Present:**

Mr. Mark D. Andrews, Policy Analyst  
Ms. Cathy J. Dupont, Associate General Counsel  
Ms. Lee A. Killian, Associate General Counsel  
Mr. Michael E. Curtis, Associate General Counsel  
Ms. Lori Rammell, Legislative Assistant

**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](http://www.le.utah.gov).

**1. Committee Business**

Chair McIff called the meeting to order at 1:21 p.m.

**MOTION:** Sen. Vickers moved to approve the minutes of the May 18, 2016, meeting. The motion passed unanimously with Sen. Madsen, Rep. Kennedy, Rep. Ray, and Rep. Spendlove absent for the vote.

**2. Access to Health Care**

Sen. Shiozawa reported that the federal Affordable Care Act has not improved access to affordable health care. He reported that 2016 and 2017 health insurance premiums have increased, or are projected to increase, by 10% or more.

Mr. Clark Ruttinger, Research Analyst, Utah Medical Education Council, distributed "Primary Care Workforce." Mr. Ruttinger discussed the supply, distribution, and compensation of Utah's primary care providers and the influence that the location of a medical residency has on a physician's decision about where to practice.

Dr. Mark Babitz, Director, Division of Family Health and Preparedness, Utah Department of Health, presented "Issues Impacting Health Care Access in Utah," "Primary Care HPSA Map," and "Mental Health Care HPSA Map." He reported on three loan repayment programs used to encourage physicians to practice in underserved areas of the state.

Mr. Nathan Checketts, Deputy Director, Utah Department of Health, reported on the department's Behavior Risk Factor Survey and what it reveals about the potential impact of the Medicaid eligibility expansion passed by the Legislature in 2016 on rates of health insurance coverage and about the Affordable Care Act's impact on coverage rates.

Mr. Mark A. Brinton, General Counsel and Director of Government Affairs, Utah Medical Association,

gave additional insight into the issue of health care workforce adequacy and expressed support for a proposal for the Legislature to fund five additional family practice medicine residencies in the state.

Mr. Jason Stevenson, Communications Director, Utah Health Policy Project (UHPP), presented "Access to Healthcare" and reported that Utah's uninsured rate for 2014-15 is about 11–12%. He described Take Care Utah, Utah Health Policy Project's program designed to help people enroll in health insurance. He also described Coverage to Care, an initiative designed to teach people how to most appropriately seek health care and operated in partnership with other organizations.

Ms. Jennifer Dailey, Executive Director, Utah Academy of Family Physicians, distributed and presented "A Case for Family Medicine Residency Expansion in Utah." She presented a proposal for the state to fund five additional family practice residencies in Utah.

**MOTION:** Rep. Redd moved to open a committee bill file to reauthorize Title 26, Chapter 46, Utah Health Care Workforce Financial Assistance Program, which is scheduled for repeal July 1, 2017. The motion passed unanimously with Sen. Madsen and Rep. Ray absent for the vote.

**MOTION:** Rep. Redd moved that the Department of Health provide the committee additional information sometime in the fall on the 10,000 adults to be covered by the Medicaid eligibility expansion passed during the 2016 General Session of the Legislature. The motion passed unanimously with Sen. Madsen and Rep. Ray absent for the vote.

**MOTION:** Sen. Vickers moved to open a committee bill file to explore taking statutorily required reports out of the Utah Code, as was done last year. The motion passed unanimously with Sen. Madsen and Rep. Ray absent for the vote.

**MOTION:** Sen. Shiozawa moved to open a committee bill file to create additional family practice residencies. Sen. Shiozawa withdrew his motion.

**MOTION:** Rep. Chavez-Houck moved to open a committee bill file to explore options related to developing residency programs and make recommendations, if appropriate, to the Social Services Appropriations Committee. The motion passed with Rep. Thurston voting in opposition. Sen. Madsen and Rep. Ray were absent for the vote.

### 3. Sunset Reviews

Rep. Bradley G. Last discussed the temporary exemption for certain restrictions on heated tobacco. He spoke in favor of allowing the exemption to sunset so that hookah products will be treated like other tobacco products under the Utah Indoor Clean Air Act.

Dr. Joseph Miner, Executive Director, Utah Department of Health, said that the department is in favor of the temporary exemption for certain restrictions on heated tobacco being sunsetted and the temporary exemption for certain restrictions on the use of e-cigarettes being sunsetted. He said that the following agencies also support the sunseting of both exemptions: the Utah Tobacco-Free Alliance, the American Heart Association, the American Lung Association, the Utah Academy of Family Physicians, and the American Cancer Society's Cancer Action Network.

Ms. Janae Duncan, Manager, Tobacco Prevention and Control Program, Utah Department of Health, discussed the temporary exemption for certain restrictions on heated tobacco and the temporary exemption

for certain restrictions on the use of e-cigarettes. She discussed the Department of Health's recommendation that the exemptions be allowed to sunset.

Mr. Brian Bennion, President, Utah Association of Local Health Departments, spoke in favor of allowing the exemptions to sunset.

Mr. Sean Gallimore, owner, Skallywags, distributed a letter that expressed his belief that many local establishments currently permit the use of hookahs without a license or oversight by the Department of Health. He spoke in favor of continuing the exemption for heated tobacco, but with improved enforcement to ensure the safe, clean, and regulated use of hookahs.

Mr. Royce Fhan, Owner, The Huka Bar and Grill, asked that the committee permanently grandfather the currently licensed hookah establishments or reauthorize the exemptions for another 10 years.

Mr. Tad Jensen, manager, ElectronicStix, and Mr. Grant Hiller, co-owner, iVape, spoke on behalf of the Utah Smoke Free Association regarding the e-cigarettes exemption. Both spoke in favor of reauthorizing the exemptions.

The committee took no action to recommend reauthorization of the temporary exemption for certain restrictions on heated tobacco or the temporary exemption for certain restrictions on the use of e-cigarettes.

Mr. Rob Ence, Executive Director, Utah Commission on Aging, presented "Utah's Aging Pyramid" and distributed "Remarks to the Health and Human Services Interim Committee," which consisted of letters supporting the reauthorization of the commission. He reported on the accomplishments of the Utah Commission on Aging and spoke in favor of reauthorizing the commission.

Sen. Shiozawa distributed draft legislation "Utah Commission on Aging Sunset Amendments" (2017FL-0346/003), which would remove the commission from the Legislative Oversight and Sunset Act.

**MOTION:** Sen. Shiozawa moved that draft legislation "Utah Commission on Aging Sunset Amendments" be approved as a committee bill.

**SUBSTITUTE MOTION:** Rep. Thurston moved that the committee recommend that the Utah Commission on Aging be reauthorized until July 1, 2027. The vote in favor was unanimous. Sen. Madsen, Rep. Brown, Rep. Hall, Rep. Ray, and Rep. Spendlove were absent for the vote.

#### **4. Home and Community-Based Services Report**

This issue was postponed to the July interim meeting.

#### **5. End of Life**

Rep. Chavez-Houck distributed a packet of materials from "Compassion & Choices" and outlined issues to be discussed by the committee next month when it discusses medical aid in dying.

Mr. Dan Diaz, husband of Brittany Maynard, who opted to end her own life under Oregon's Death with Dignity Act, presented pictures of his late wife. He outlined requirements of other states' end-of-life statutes and the importance of this legislation for terminally ill patients in Utah.

**6. Adjourn**

**MOTION:** Sen. Christensen moved to adjourn the meeting. The motion passed unanimously with Sen. Madsen, Rep. Brown, Rep. Hall, Rep. Ray, and Rep. Spendlove absent for the vote.

Chair McIff adjourned the meeting at 4:03 p.m.