

**MINUTES OF THE
HEALTH AND HUMAN SERVICES INTERIM COMMITTEE**
Wednesday, September 17, 2003 – 9:00 a.m. – Room 129 State Capitol

Members Present:

Rep. Mike Thompson, House Chair
Sen. Sheldon L. Killpack, Senate Chair
Sen. James M. Evans
Sen. Scott K. Jenkins
Sen. Paula F. Julander
Sen. David L. Thomas
Rep. Calvin G. Bird
Rep. Judy Ann Buffmire
Rep. Marda Dillree
Rep. Craig Frank
Rep. Patricia W. Jones
Rep. Brad Last
Rep. David Litvack

Rep. Rebecca Lockhart
Rep. Steven R. Mascaro
Rep. J. Morgan Philpot
Rep. Jack A. Seitz

Members Absent:

Rep. Darin G. Peterson

Staff Present:

Mr. Mark D. Andrews, Policy Analyst
Ms. Catherine J. Dupont, Associate General Counsel
Ms. Stacey M. Snyder, Associate General Counsel
Ms. Joy L. Miller, Legislative Secretary

Note: A list of others present and a copy of materials can be found at <http://www.image.le.state.ut.us/imaging/history.asp> or by contacting the committee secretary, Joy Miller, at 538-1032.

1. Committee Business / Other Items

Chair Killpack called the meeting to order at 9:10 a.m.

MOTION: Rep. Seitz moved to approve the minutes of the July 16, 2003 meeting. The motion passed unanimously. Sen. Jenkins, Rep. Philpot, and Rep. Thompson were absent for the vote.

Sen. Evans indicated that there were some outstanding questions from the mental health audit that needed to be resolved.

MOTION: Sen. Evans moved that the Committee direct the legislative auditor to audit the information provided by VMH (Valley Mental Health) at the July meeting and to the legislative auditor since that time and make a final determination whether public funds were used for untraditional activities. Further, that the auditor review its work from the original audit with VMH and determine whether legislation is needed to clarify and ensure that public funds are separately accounted for from the point of appropriation until their final use by the ultimate consumer.

Rep. Buffmire indicated a conflict of interest with the issue and asked for clarification of what information was in question.

Mr. Tim Osterstock, Office of the Legislative Auditor General, explained that the information presented was a matrix of service delivery cost information which was not considered in the audit. Some administrative costs were embedded in the information as well as information from VMH's external auditor that had not been received prior to the completion of the audit.

Sen. Thomas also indicated a conflict of interest. He noted an issue that should be addressed is who is

accounting to whom. There is increased confusion of who is in charge. He requested the issue be placed on the November agenda.

The Committee voted on the motion which passed with Sen. Julander, Rep. Buffmire, Rep. Jones, Rep. Litvack, and Rep. Mascaro voting in opposition.

2. Detection of Public Health Emergencies Act - Sunset Review

Ms. Dupont briefly explained what the agency and Committee responsibilities are in a sunset review and options for legislative action.

Dr. Scott Williams, Deputy Director, Department (Utah Department of Health) gave a brief introduction and explanation of the role of the state epidemiologist.

Dr. Robert Rolfs, State Epidemiologist, stated that the Legislature adopted the Detection of Public Health Emergencies Act to strengthen the reporting, investigation, and use of information that could signal the presence of a public health emergency. The act is scheduled to sunset in July 1, 2004.

Rep. Sheryl Allen explained a draft bill that removes the expiration date for the act. She indicated that the necessity of the legislation has been reinforced with recent events in the world.

MOTION: Rep. Mascaro moved to recommend draft legislation, "Public Health Authority Amendments," as a Committee bill.

SUBSTITUTE MOTION: Rep. Lockhart moved to extend the sunset date for the act to July 1, 2009. The motion passed with Rep. Buffmire and Rep. Mascaro voting in opposition.

3. Utah Health Data Authority Act – Sunset Review

Dr. Williams distributed information on the impact of the Utah Health Data Authority Act. The act directs how health data will be collected, managed, and distributed to the public.

Mr. Greg Poulsen, Member of the HDC (Health Data Committee), distributed a written copy of his comments. He pointed out that nationwide, hospital care consumes nearly \$500 billion in resources. In Utah, approximately \$3 billion is spent annually on hospital care.

Ms. Annette Herman, Member of HDC, distributed a written copy of her comments. Through the data collected by the HDC, health plans make quality improvements and healthcare consumers can make informed decisions about their healthcare. She discussed improvements that have been made in diabetic screening.

Ms. Wu Xu, Executive Secretary for HDC, indicated the Department provides technical assistance to rural hospitals to help them set up the information system to provide data.

MOTION: Sen. Dillree moved to reauthorize the Utah Health Data Authority Act for an additional ten years. The motion passed unanimously.

The Committee recognized Mr. Rod Betit, Director of the Department of Health, for his many years of service to the state. Mr. Betit will be retiring next month.

4. Health Insurance – Adjustment of Adoption Indemnity Benefit

Mr. John Braun, Utah Insurance Department, introduced Dr. Jeffrey Hawley who would be making the presentation on the adoption indemnity benefit.

Dr. Hawley distributed a copy of his slide presentation to the Committee. He indicated that Utah Code Section 31A-22-610.1 applies only to commercially insured members with maternity coverage who adopt a child within 90 days of the child's birth. The current adoption indemnity benefit is \$3,155. Pursuant to statute, the Department is planning to adjust the benefit level to \$4,000.

The Committee discussed the issue of how that money is spent and questioned if the state is providing, through mandate, a benefit to 35 percent of the population that no one else is required to have.

Mr. Kelly Atkinson, Utah Health Insurance Association, indicated there is no way at the present time for insurance carriers in the state to track how that money is spent.

Mr. Darren Hotton, Utah Insurance Department, stated he is an adoptive parent. He indicated that the money given for the adoption indemnity benefit goes toward legal or other fees.

Ms. Beth Beck, Childrens Service Society, pointed out that the average cost for adoption in the state is \$22,000. In her agency most of the cost goes for social service work. She indicated that \$500-\$700 is all that is paid for legal expenses in adoptions.

Sen. Killpack indicated that further clarification of the benefit is needed before the Committee takes action.

5. Evaluation of Health Insurance Market

Dr. Hawley distributed a slide presentation on the Health Insurance Market Report. He gave an overview of health insurance coverage in Utah.

Rep. Dillree expressed concern about the average person who pays taxes and yet because of their circumstances can't get health insurance.

Rep. Lockhart questioned why there is a movement from the commercial market into the self-funded market. She asked that the Utah Insurance Department provide to the Committee recommendations for action to improve the effectiveness of the market and any rules or statute changes being considered.

6. Insurance Code Exemption

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Due to lack of time the item was not discussed and will be placed on the October agenda.

7. Adjourn

MOTION: Rep. Bird moved to adjourn the meeting. The motion passed unanimously. Chair Killpack adjourned the meeting at 12:05 p.m.