

**MINUTES OF THE
HEALTH AND HUMAN SERVICES INTERIM COMMITTEE**
Wednesday, October 19, 2011 – 9:00 a.m. – Room 20 House Building

Members Present:

Sen. Allen M. Christensen, Senate Chair
Rep. Paul Ray, House Chair
Sen. Stuart C. Reid
Sen. Luz Robles
Rep. David Clark
Rep. Tim M. Cosgrove
Rep. Bradley M. Daw
Rep. Wayne A. Harper
Rep. Ronda Rudd Menlove
Rep. Dean Sanpei

Members Absent:

Sen. Patricia W. Jones
Sen. Mark B. Madsen

Staff Present:

Mr. Mark D. Andrews, Policy Analyst
Ms. Cathy Dupont, Associate General Counsel
RuthAnne Frost, Associate General Counsel
Kimberly A. Heiner, 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 Christensen called the meeting to order at 9:16 a.m.

Chair Christensen excused Sen. Jones from the meeting.

MOTION: Rep. Harper moved to approve the minutes of the July 20, 2011 and September 21, 2011 meetings. The motion passed unanimously with Rep. Clark, Rep. Menlove, and Rep. Ray absent for the vote.

2. Medical Investigation of Highway Deaths

Dr. Todd C. Grey, Chief Medical Examiner, Office of the Medical Examiner, Utah Department of Health, said that Utah is unique because investigation of highway deaths are excluded by law from the Office of the Medical Examiner. He explained this has caused problems with the signing of death certificates. He said the Office of the Medical Examiner investigates approximately one-third of highway deaths.

Mr. Michael Rapich, Utah Department of Public Safety, indicated that if the Office of the Medical Examiner is not involved in the investigation of a highway death, the Highway Patrol may not be able to gather the forensic evidence necessary to investigate a potential crime. He also indicated it can be difficult to get a death certificate signed.

Sen. Christensen discussed 2012 General Session draft legislation "Medical Examiner Amendments" (2012FL-0120/005). He said that the legislation repeals a provision that excludes highway deaths from the definition of accidental deaths, which are under the jurisdiction of the state medical examiner.

MOTION: Rep. Daw moved to pass "Medical Examiner Amendments" as a committee bill. The motion passed unanimously with Rep. Ray absent for the vote.

3. Medical Provider Cost Control

Dr. W. David Patton, Executive Director, Utah Department of Health, distributed and discussed "Report to the Health and Human Services Interim Committee: Implementation of Recommendations from the December 2010 Performance Audit of Utah Medicaid Provider Cost Control." He explained the department's response to the upcoding problem identified by the audit.

Mr. Michael Hales, Director, Division of Health Care Financing, Utah Department of Health, explained how in response to the audit the department is using additional data to save money on provider reimbursements for pharmaceuticals. He also addressed committee questions about dental provider reimbursement, payment for pharmaceuticals under the state's proposed Medicaid waiver, and prescription drug shortages.

Mr. Lee Wyckoff, Inspector General, Office of Inspector General of Medicaid Services, reported on the organization of the Office, created by legislation passed during the 2011 General Session.

4. Medicaid and CHIP Eligibility Determination Study

Dr. W. David Patton, Executive Director, Utah Department of Health, distributed and discussed "HB174, Contracting for Medicaid Eligibility Determination Systems." He reported that the Department of Health was directed by H.B. 174 to work with the Department of Workforce Services, the Department of Human Services, and the Privatization Policy Board to look at the Medicaid eligibility determination system and identify areas for improvement. He said Southern Utah University and Utah State University are conducting the study, which will be completed before the 2012 General Session of the Legislature.

5. Secondhand Smoke

Dr. Kevin Nelson, Health Sciences Center, University of Utah, reported on problems created by secondhand tobacco smoke, particularly in children. He urged the Legislature to support legislation that protects children from secondhand smoke and to help families with tobacco treatment.

Mr. Reuben St. James, citizen, commented on the Medicaid provider cost control report. He also said he is conducting research on the harmful effects of secondhand smoke and, that because secondhand smoke can cause death, cigarettes should be considered a dangerous weapon.

6. Adjourn

Chair Christensen thanked the Committee members for their service on the committee.

MOTION: Rep. Vickers moved to adjourn the meeting. The motion passed unanimously with Sen. Reid, Rep. Clark, Rep. Daw, Rep. Harper and Rep. Watkins absent for the vote.

Chair Christensen adjourned the meeting at 11:33 a.m.