

# ARIZONA STATE SENATE

48TH LEGISLATURE  
FIRST REGULAR SESSION

## MINUTES OF COMMITTEE ON HEALTH

**DATE:** February 15, 2007

**TIME:** 9:00 a.m.

**ROOM:** SHR 1

**CHAIRMAN:** Senator Allen

**VICE CHAIRMAN:** Senator O'Halleran

**ANALYST:** Beth Kohler Lazare

**INTERN:** Ariel Serafin

**COMMITTEE  
SECRETARY:** Jeff Turner

---

### ATTENDANCE

### BILLS

---

<u>Committee Members</u>	<u>Pr</u>	<u>Ab</u>	<u>Ex</u>	<u>Bill Number</u>	<u>Disposition</u>
Senator Aboud	x			SB 1099	DPA
Senator Aguirre	x			SB 1123	DPA/SE
Senator Burton Cahill	x			SB 1248	FAILED
Senator Leff	x			SB 1294	DPA
Senator Verschoor	x			SB 1504	DPA
Senator O'Halleran, Vice Chairman	x			SB 1506	DPA
Senator Allen, Chairman	x			SB 1526	DP
				SB 1532	DP
				SB 1533	DPA
				SB 1558	DP
				SB 1560	DP
				SB 1605	DPA/SE

Chairman Allen called the meeting to order at 9:20 a.m. and attendance was taken.

## **CONSIDERATION OF BILLS**

Senator Allen announced that SB 1504 would be HELD. (For testimony and action on SB 1504, see page 8.)

### **SB 1558 - appropriations; university medical programs. – DO PASS**

**Beth Kohler Lazare, Health Research Analyst**, explained SB 1558.

**Robert Shelton, University of Arizona, President**, testified in support of SB 1558.

**Michael Crow, Arizona State University, President**, testified in support of SB 1558.

**John Haeger, Northern Arizona University, President**, testified in support of SB 1558.

**Bob Bulla, Board of Regents**, testified in support of SB 1558.

**David Landrith, Arizona Medical Association, Vice President of Policy and Political Affairs**, testified in support of SB 1558.

**Joe Donaldson, Mayor of Flagstaff**, testified in support of SB 1558.

**Laurie Lange, Arizona Hospital and Healthcare Association, Vice President of Public Affairs**, testified in support of SB 1558.

**Keith Joiner, University of Arizona College of Medicine, Dean**, testified in support of SB 1558.

**Senator O'Halleran moved SB 1558 be returned with a DO PASS recommendation.  
The motion CARRIED with a roll call vote of 6-0-1 (Attachment 1).**

In explanation of her vote, Senator Aguirre stated, "I am very happy to vote yes on this and as we heard this morning, we are moving Arizona forward and with that I vote aye."

In explanation of her vote, Senator Allen said, "I cannot tell you how proud I am to be involved in this and to support this. This funding is absolutely for the State of Arizona, one of the top priorities that we should be looking at. I would also like to state that I am sorry Betsy Bayless is not here today because I am hopeful that when we have this new district that the City of Phoenix is drawing, that we can find a place for Maricopa because that Hospital has to be part of what is going on. What is happening today is of great importance but I am going to ask some of you to come and help me support Maricopa in being in this district that is being drawn and I am sorry that the Mayor could not be here today but for today, this is absolutely something that Arizona will be the proudest of all and with that I vote aye."

### **SB 1506 - tax credit; business health insurance – DO PASS AMENDED**

**Sean Laux, Senate Finance Research Analyst**, explained SB 1506 and the 2 page Leff amendment dated 2/13/07 at 4:18 p.m. (Attachment A)

Senator Leff, bill sponsor, further explained SB 1506.

**Michelle Bolton, National Federation of Independent Business, State Director**, testified in support of SB 1506.

**Todd Sanders, Greater Phoenix Chamber of Commerce, Vice President of Public Affairs**, testified in support of SB 1506.

Senator O'Halleran announced the individuals who registered their position on the bill (Attachment B).

**Senator O'Halleran moved SB 1506 be returned with a DO PASS recommendation.**

**Senator O'Halleran moved the 2 page Leff amendment dated 2/13/07 at 4:18 p.m. be ADOPTED. The motion CARRIED by voice vote.**

**Senator O'Halleran moved SB 1506 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-1 (Attachment 2).**

#### **SB 1123 - technical correction; hearing – DO PASS AMENDED/STRIKE EVERYTHING**

**Ariel Serafin, Health Research Intern**, explained the 21-line Allen strike everything amendment dated 2/13/07 at 3:40 p.m. (Attachment C)

**John MacDonald, Jamieson and Gutierrez, Inc., Maricopa Special Healthcare District**, answered questions posed by the Committee.

**David Schweikert, Maricopa County Treasurer**, answered questions posed by the Committee.

Senator O'Halleran announced the individuals who registered their position on the bill (Attachment B).

**Senator O'Halleran moved SB 1123 be returned with a DO PASS recommendation.**

**Senator O'Halleran moved the 21-line Allen strike everything amendment dated 2/13/07 at 3:40 p.m. be ADOPTED. The motion was CARRIED by voice vote.**

**Senator O'Halleran moved SB 1123 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-1 (Attachment 3).**

In explanation of her vote, Senator Allen said, "This is a work in progress and with that, I vote aye."

#### **SB 1526 - AHCCCS; covered services – DO PASS**

**Ariel Serafin, Health Research Intern**, explained SB 1526 and answered questions posed by the Committee.

**Senator O'Halleran moved SB 1526 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 6-1-0 (Attachment 4).**

**SB 1532 - tax credit; long-term care insurance – DO PASS**

**Beth Kohler Lazare, Health Research Analyst**, explained SB 1532 and answered questions posed by the Committee.

**David Childers, America's Health Insurance Plans**, testified in support of SB 1532 and answered questions posed by the Committee.

Senator O'Halleran announced the individuals who registered their position on the bill (Attachment B).

**Senator O'Halleran moved SB 1532 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 5).**

**SB 1533 - AHCCCS; insurer claims data reporting – DO PASS AMENDED**

**Beth Kohler Lazare, Health Research Analyst**, explained SB 1533 and the 2 page Allen amendment dated 2/14/07 at 5:32 p.m. (Attachment D)

Senator Allen, bill sponsor, further explained SB 1533.

**Don Hughes, Blue Cross Blue Shield of Arizona**, testified in opposition to SB 1533.

**Tom Betlach, Arizona Healthcare Cost Containment System, Deputy Director**, testified in support of SB 1533.

Senator O'Halleran announced the individuals who registered their position on the bill (Attachment B).

**Senator O'Halleran moved SB 1533 be returned with a DO PASS recommendation.**

**Senator O'Halleran moved the 2 page Allen amendment dated 2/14/07 at 5:32 p.m. be ADOPTED. The motion CARRIED by voice vote.**

**Senator O'Halleran moved SB 1533 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 6).**

**SB 1605 - caregiver services – DO PASS AMENDED/STRIKE EVERYTHING**

**Beth Kohler Lazare, Health Research Analyst**, explained the 9 page O'Halleran strike everything amendment dated 2/13/07 at 2:19 p.m. (Attachment E) and the 16-line O'Halleran amendment to the strike everything dated 2/14/07 at 2:53 p.m. (Attachment F)

Senator O'Halleran, bill sponsor, further explained SB 1605 and answered questions posed by the Committee.

**Courtney Gilstrap Levinus, Arizona Association for Home Care and National Private Duty Association**, testified in support of SB 1605 and answered questions posed by the Committee.

**Pete Wertheim, Department of Health Services, Intergovernmental Affairs Coordinator**, answered questions posed by the Committee.

**Bob Hebert, self**, testified in support of SB 1605 and answered questions posed by the Committee.

**Dennis Seavers, Arizona Board of Fingerprinting, Executive Director**, testified as neutral to SB 1605 and answered questions posed by the Committee.

**Joanne Bateman, self**, testified in support of SB 1605.

**Senator Verschoor moved SB 1605 be returned with a DO PASS recommendation.**

**Senator Verschoor moved the 9 page O'Halleran strike everything amendment dated 2/13/07 at 2:19 p.m. be ADOPTED.**

**Senator O'Halleran moved the 16-line O'Halleran amendment to the strike everything amendment dated 2/14/07 at 2:53 p.m. be ADOPTED. The motion CARRIED by voice vote.**

**Senator O'Halleran moved the 9 page O'Halleran strike everything amendment dated 2/13/07 at 2:19 p.m. be ADOPTED AS AMENDED. The motion CARRIED by voice vote.**

**Senator O'Halleran moved SB 1605 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 7).**

In explanation of her vote, Senator Burton Cahill stated, "I agree with you Madam Chairman, that it does look like we are going to have to fund the fingerprinting people a little bit more because I think the last thing we want to do is slow down the process of people being able to meet all of the qualifications to advance this, so I hope that we do look at making sure that fingerprint funding is adequate for the FTE's that they have requested and with that I vote yes."

In explanation of her vote, Senator Leff said, "From my understanding, we do not need to give funding....we need to give authority for the FTE's. The funding comes from the people who are being fingerprinted which is wonderful because it (inaudible) authority to the FTE's. I just wanted to clarify that and I vote aye."

### **SB 1099 - revised uniform anatomical gift act – DO PASS AMENDED**

**Beth Kohler Lazare, Health Research Analyst**, explained SB 1099 and the 5 page Allen amendment dated 2/14/07 at 3:15 p.m. (Attachment G)

**Jim Bush, Arizona Uniform Laws Commission, Commissioner**, testified in support of SB 1099.

**Sara Pace Jones, Donor Program Development, Donor Network of Arizona, Director**, testified in support of SB 1099.

**Barry Aarons, Alcor Life Extension Foundation**, testified in support of SB 1099.

**John Mangum, Sciencecare Anatomical**, testified in support of SB 1099.

Senator O'Halleran announced the individuals who registered their position on the bill (Attachment B).

**Senator O'Halleran moved SB 1099 be returned with a DO PASS recommendation.**

**Senator O'Halleran moved the 5 page Allen amendment dated 2/14/07 at 3:15 p.m. be ADOPTED.**

**Senator O'Halleran moved the following verbal amendment to the amendment:**

**Page 2, line 12,**

**Strike the second comma**

**Strike "procurement organization" (Attachment H)**

**The motion CARRIED by voice vote.**

**Senator O'Halleran moved the 5 page Allen strike everything amendment, AS AMENDED, be ADOPTED. The motion CARRIED by voice vote.**

**Senator O'Halleran moved SB 1099 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 8).**

### **SB 1248 - AHCCCS; children; treatment; reports - FAILED**

**Beth Kohler Lazare, Health Research Analyst**, explained SB 1248 and answered questions posed by the Committee.

Senator Johnson, bill sponsor, testified in support of SB 1248.

**Tony Rogers, Arizona Healthcare Cost Containment System, Director**, testified in opposition to SB 1248 and answered questions posed by the Committee.

**Sherri Walton, Mental Health Association**, testified in opposition to SB 1248 and answered questions posed by the Committee.

Senator O'Halleran announced the individuals who registered their position on the bill (Attachment B).

**Senator O'Halleran moved SB 1248 be returned with a DO PASS recommendation. The motion FAILED with a roll call vote of 3-4-0 (Attachment 9).**

In explanation of her vote, Senator Aguirre stated, "I am very concerned about this bill and the language of this bill. I would be more than glad to work with Senator Johnson and our Director from AHCCCS about the data that we can get (inaudible) so I am going to vote no."

In explanation of her vote, Senator Burton Cahill said, "I also have some concerns with the bill and I am going to echo Senator Aguirre's comments and vote no."

In explanation of his vote, Senator O'Halleran remarked, "I appreciate the concerns for the children in this State expressed by Senator Johnson. I understand her issue but I believe if we are going to address this problem as a State we should address it...instead of a list of information that anyone can draw conclusions on, we need to get together, the health professionals of this State, and put some money forward to identify a plan and go after it as we would with any other major issue and fund it appropriately and find out what answers we can get along with the federal government and our university system and with that I vote no."

In explanation of her vote, Senator Aboud stated, "I also have a lot of concern about the degree to which we are medicating our children. I have heard a lot of concern about the language, not in opposition to the people who are opposed to this but really, I think my vote is to support the intent of this bill and for that I vote aye."

In explanation of her vote, Senator Allen said, "I do have problems with the language and the public doctors.....I, like Senator Aboud, the intent, to me, is what I am going to support and I would agree with Senator O'Halleran, we need to have people sitting down at the table and have some stakeholder meetings about this problem because I read a lot of articles from across the country and this is not the only State that is beginning to look at this and for that reason I am going to vote aye."

### **SB 1560 - AHCCCS; healthcare group; waiting period. – DO PASS**

**Beth Kohler Lazare, Health Research Analyst**, explained SB 1560 and answered questions posed by the Committee.

**Tony Rogers, Arizona Healthcare Cost Containment System, Director**, testified in support of SB 1560 and answered questions posed by the Committee.

**Steve Barclay, CIGNA HealthCare of Arizona**, testified in opposition to SB 1560.

**Judy Wood, self**, testified in support of SB 1560.

**Don Hughes, Blue Cross Blue Shield of Arizona**, testified in opposition to SB 1560.

Senator O'Halleran announced the individuals who registered their position on the bill (Attachment B).

**Kathleen Oestreich, University Physicians Health Plans, CEO**, testified in support of SB 1560.

**Senator O'Halleran moved SB 1560 be returned with a DO PASS recommendation.  
The motion CARRIED with a roll call vote of 5-1-1 (Attachment 10).**

In explanation of her vote, Senator Aboud stated, "This is a vote to support small businesses which often times get over looked with the work we do at the Legislature and with that I vote aye."

## **SB 1294 - Arizona board of surgical assistants – DO PASS AMENDED**

**Ariel Serafin, Health Research Intern**, explained SB 1294 and the 11 page Leff amendment dated 2/14/07 at 5:06 p.m. (Attachment I)

Senator Leff, bill sponsor, further explained SB 1294.

**Jack LaSota, Arizona Association of Non-Physician Surgical Assistants**, testified in support of SB 1294.

**Rory Hays, Arizona Nurses' Association**, testified in opposition to SB 1294 and answered questions posed by the Committee.

**Eugene Smith, self**, testified in support of SB 1294.

**Senator O'Halleran moved SB 1294 be returned with a DO PASS recommendation.**

**Senator O'Halleran moved the 11 page Leff amendment dated 2/14/07 at 5:06 p.m. be ADOPTED. The motion CARRIED by voice vote.**

**Senator O'Halleran moved SB 1294 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 5-1-1 (Attachment 11).**

In explanation of her vote, Senator Aboud stated, "I appreciate Senator Leff working with the nurses and I vote aye."

In explanation of her vote, Senator Aguirre stated, "I am also looking forward to Senator Leff working with the Arizona's Nurses Association on their concerns, I vote aye."

In explanation of her vote, Senator Burton Cahill said, "I appreciate that everyone is working together. I know that the sponsor has the votes in this Committee so I am going to vote no, only because I want to re-enforce how strongly I want these differences to be ironed out before it comes to the floor, aye."

## **SB 1504 - chiropractors; copayments – DO PASS AMENDED**

**Ariel Serafin, Health Research Intern**, explained SB 1504 and the 3-line Allen amendment dated 2/14/07 at 1:50 p.m. (Attachment J)

**Senator Linda Gray, bill sponsor**, testified in support of SB 1504.

**Senator O'Halleran moved SB 1504 be returned with a DO PASS recommendation.**

**Senator O'Halleran moved the 3-line Allen amendment dated 2/14/07 at 1:50 p.m. be ADOPTED. The motion CARRIED by voice vote.**

**Senator O'Halleran moved SB 1504 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 5-0-2 (Attachment 12).**

There being no further business, the meeting was adjourned at 1:05 p.m.

Respectfully submitted,

Jeff Turner  
Committee Secretary

(Audio recordings and attachments on file in the Secretary of the Senate's Office/Resource Center, Room 115.  
Audio archives are available at <http://www.azsenate.gov>)