

ARIZONA HOUSE OF REPRESENTATIVES  
Forty-ninth Legislature –Second Regular Session

**COMMITTEE ON HEALTH AND HUMAN SERVICES**

Minutes of Meeting  
Wednesday, March 31, 2010  
House Hearing Room 4 -- 9:00 a.m.

Chairman Barto called the meeting to order at 9:07 a.m. and roll call was taken by the secretary.

**Members Present**

Mr. Ableser  
Mrs. Goodale  
Mr. Lopes

Mr. Murphy  
Mr. Vogt

Mr. Court, Vice-Chairman  
Mrs. Barto, Chairman

**Members Absent**

Mr. Boone

Mr. Bradley

**Committee Action**

SB1095 – DP (7-0-0-2)  
SB1285 – DP (5-0-0-4)  
SB1306 – DPA (5-2-0-2)  
SB1307 – DPA (5-2-0-2)

SB1314 – HELD  
SB1376 – DP (6-0-0-3)  
SB1395 – DP (7-0-0-2)  
SCR1044 – DP (5-2-0-2)

**CONSIDERATION OF BILLS**

**SB1285 – optometrists; medications – DO PASS**

**Vice-Chairman Court moved that SB1285 do pass.**

Ingrid Garvey, Majority Research Analyst, explained that SB1285 contains the same provisions as HB2468, optometrists; medication, which passed out of the House. It allows optometrists to prescribe, dispense and administer macrolides and antivirals for the treatment of diseases of the eye and its appendages, which includes the eyelids, muscles and soft tissue (Attachment 1).

Jeff Gray, Legislative Liaison, Arizona Ophthalmological Society, spoke in opposition to SB1285. He stated that two items came to light in the past few weeks:

- Testimony was previously provided that shingles, and ocular shingles in particular, is a systemic disease that impacts other parts of the body. A recent article in the *Journal of the American Academy of Neurology* confirms a link between shingles and stroke. An amendment was requested in the past to require immediate referral to a physician to look

at other conditions of the body because shingles can be indicative of a much larger issue going on in the body of a patient.

- The medical community was asked to document and show evidence that patients in other states have been hurt by having this prescribing authority for optometrists. Testimony was provided in the Senate that there is no formal reporting mechanism in place for complications that arise from this prescribing authority; however, there is anecdotal evidence such as testimony on the Floor by Representative Russ Jones that he had this condition and it was misdiagnosed by an optometrist as pink eye. If that is indicative of the population in general, and anecdotal cases ophthalmologists brought forward, problems have occurred in Arizona and other states.

Vice-Chairman Court announced the names of those who signed up in support of SB1285 but did not speak:

Norman Moore, Attorney, Arizona Optometric Association

Annette Hanian, Arizona Optometric Association, representing self as OD

Vice-Chairman Court announced the names of those who signed up in opposition to SB1285 but did not speak:

Janet Underwood, Director, Pharmacy Affairs, Arizona Community Pharmacy Committee

David Landrith, Vice President of Policy & Political Affairs, Arizona Medical Association

Amanda Weaver, Executive Director, Arizona Osteopathic Medical Association

Susan Cannata, Attorney, Arizona Academy of Family Physicians

Mindy Rasmussen, Executive Director, Arizona Pharmacy Alliance

Vice-Chairman Court announced the names of those who signed up as neutral on SB1285 but did not speak:

Raymond Kronenbitter, Registered Nurse, Arizona Nurses Association

**Question was called on the motion that SB1285 do pass. The motion carried by a roll call vote of 5-0-0-4 (Attachment 2).**

**SB1306 – human egg providers; protection. – DO PASS AMENDED**

**Vice-Chairman Court moved that SB1306 do pass.**

**Vice-Chairman Court moved that the Barto 23-line 1:02 p.m. amendment to SB1306 (Attachment 3) be adopted.**

**Vice-Chairman Court moved that the Barto 23-line 1:02 p.m. amendment to SB1306 (Attachment 3) be amended as follows:**

**Page 1, line 6, strike “SET FORTH” and insert “PRESCRIBED”**

Chairman Barto explained that the verbal amendment was suggested by Legislative Council.

**Question was called on the motion that the Barto 23-line 1:02 p.m. amendment to SB1306 (Attachment 3) be amended as follows:**

**Page 1, line 6, strike “SET FORTH” and insert “PRESCRIBED”**

**The motion carried.**

**Vice-Chairman Court made a substitute motion that the Lopes 20-line amendment to SB1306 dated 3/30/10 (Attachment 4) be adopted.**

Gina Kash, Majority Assistant Research Analyst, explained the differences between SB1306 and HB2651, human egg providers; protection, which passed out of the House. SB 1306 sets forth requirements for human egg donations and prohibits the purchase or sale of human eggs for purposes other than treatment of human infertility (Attachment 5). She explained that the Barto 23-line 1:02 p.m. amendment contains the following provisions (Attachment 3):

- Changes the terminology from *egg provider* to *egg donor* and from *harvest* to *retrieve*.
- Adds a reference to Food and Drug Administration (FDA) requirements.
- Removes the provision that requires doctors to refer a patient to additional sources of information as part of the informed consent process.
- Changes the requirement that patients be informed that all risks of egg donation *are not* known to say that patients must be informed that all risks of egg donation *may not be* known.
- States that new informed consent procedures are not required if the doctor’s consent procedures already meet the minimum standards established by the bill.
- Adds language clarifying that A.R.S. Section 36-1303 does not prohibit compensation of egg donors who provide or agree to provide eggs for the treatment of human fertility.

Ms. Kash explained that the Lopes 20-line amendment contains the following provisions (Attachment 4):

- Provides that a physician must not harvest eggs except in a hospital, clinic or other medical facility that meets facility standards as defined by the American Society for Reproductive Medicine (ASRM) rather than the licensing standards prescribed by this title.
- States that before performing any medical procedure or prescribing any hormones or other drugs for an egg provider, a physician must conform to all current ASRM guidelines that relate to patient information regarding egg donation and follow all requirements prescribed by the U.S. FDA pursuant to 21 Code of Federal Regulations Parts 1270 and 1271 rather than the disclosure listed in the bill.
- States that this section does not prohibit compensating egg donors who provide or who agree to provide eggs for clinical investigation to further the treatment of infertility.
- Stipulates that a person who has been found to have violated Section 36-1303 is guilty of a Class 3 misdemeanor rather than a Class 1 misdemeanor.
- Makes technical and conforming changes.

Mr. Lopes opined that nationally accepted standards and guidelines set by professionals should be followed. The amendment clarifies that egg donation for clinical investigation related to clinical infertility treatment is not forbidden and lessens the penalty for unprofessional conduct

from a Class 1 to a Class 3 misdemeanor. The intent is to make the bill align as much as possible with actual scientific evidence that is available about these matters.

Senator Linda Gray, sponsor, stated that this bill does not prohibit any couple from being able to create a family. She noted that ASRM 2008 guidelines for informed consent for embryo donations are very minimal (Attachment 6), which is the reason for the six items listed in the bill that a physician must provide to the egg donor before performing any medical procedure or prescribing any hormones or other drugs. She said she is willing to hold another stakeholder meeting to reach agreement on language and expressed concern about lack of a definition for *clinical investigation* in the Lopes 20-line amendment.

Discussion followed about compensation paid to the egg donor. Senator Gray related that infertility doctors requested the terminology changes and reference to the FDA in the Barto 23-line 1:02 p.m. amendment.

Chairman Barto, referring to the Lopes 20-line amendment, noted that Legislative Council directs bill drafters to avoid using references to specific non-statutory entities (such as the ASRM) to limit the possibility of an unconstitutional delegation of legislative authority and avoid inaccurate citations to entities that may change over time without the Legislature's knowledge or approval. Discussion followed on the issue.

Senator Gray stated that she is concerned about lack of a definition for *clinical investigation* because it could include all types of research. There are certain items done in research for cloning purposes that she does not want included; however, there are items doctors do to obtain a healthy embryo and eliminate diseases that are appropriate.

Chairman Barto commented that a recent article in the *Wall Street Journal* stated that some fertility clinics are not even following the ASRM ethical guidelines. Including informed consent in state statute will protect donors and allow for a higher penalty for violations.

Dr. Jennifer Schneider, representing self, spoke in support of SB1306. She testified about her daughter, Jessica, who donated eggs three times to earn extra money without understanding the long-term risks of the procedure, which are unknown, and six years later, died from colon cancer (Attachments 7 and 8). Dr. Schneider said a few years ago, she found an article by an in vitro fertilization (IVF) specialist in England who described a young woman who donated eggs for her infertile sister and years later died from colon cancer. This led Dr. Schneider to further research the issue and become informed enough to have an article published in the ASRM official journal titled, *Fatal colon cancer in a young egg donor: A physician mother's call for follow-up and research on the long-term risks of ovarian stimulation* (Attachment 9).

Dr. Schneider submitted that egg donors are commodities and no one has followed-up with them to determine the risks. Research is needed, but it is necessary to at least insist that egg donors are provided with informed consent documents that are meaningful and clearly state the short-term risks and that the long-term risks are not known. She responded to questions about her daughter in relation to cause and effect, informed consent and the egg broker.

Dr. Frederick Larsen, representing self, opposed SB1306. He related that this bill and another bill to be discussed will directly impact clinics that provide infertility care and every couple that struggles with achieving the goal of creating a family in Arizona. Prospective and actual donors go through exhaustive medical, genetic and psychological screening and meet with nurses, psychologists, physicians and others to ensure that donors know what they are getting into. He spends an hour going over a 10-page consent form with the egg donor about the known and unknown risks of IVF, which are clearly stated on page 2 (Attachment 10).

Regarding ASRM, Dr. Larsen stated that on page 37 of the 2008 guidelines for gamete and embryo donation, paragraph A, Section 36, states that solicitation of donors shall be in accordance with the guidelines provided in the ASRM Ethics Committee report on the subject, which is more detailed, so if this is already done, he does not know why legislation is needed. He addressed costs the legislation has imposed and will impose on IVF clinics and portions of the bill that are problematic.

Discussion followed about whether the language in the last paragraph on page 4 of the consent form is misleading (Attachment 10). Dr. Larsen responded to questions concerning when egg donor receives the informed consent document, current oversight and disciplinary procedures for IVF clinics, FDA requirements and ASRM guidelines for gamete and embryo donation.

Susan Beck, representing self, spoke in opposition to SB1306. She related that she is an egg donor who believes the bill is not necessary because she was thoroughly informed, and she did not feel like just an egg donor, but a patient. In response to questions, she stated that the agency she went through gave her paperwork on the procedure, and at the initial appointment for a physical, blood work, etc., to see if she is a good candidate as an egg donor, she was given a lot of information about the procedure; before retrieval, she went over the information again. She said she was told that egg donation has not been around very long and research is being done, but the risks are not known. She submitted that there are also risks with other elective procedures.

Discussion followed concerning the definition of *clinical investigation*.

Vice-Chairman Court announced the names of those who signed up in opposition to SB1306 but did not speak:

Rebecca Shippe, representing self

Dr. Kimball Pomeroy, PhD HCLD, representing self

Diana Thomas, President/Chief Executive Officer, X&Y Consulting, representing self

Kristen Boilini, Lobbyist, Reproductive Endocrinology and Infertility Society

Jessica Stall, Reproductive Endocrinology & Infertility Society

Chandra Graham, IVF Patient, representing self

Vice-Chairman Court announced the names of those who signed up in support of SB1306 but did not speak:

Beth Straley, Campaign Administrator, 40 Days For Life, representing self

Ron Johnson, Executive Director, Arizona Catholic Conference

Deborah Sheasby, Legal Counsel, Center for Arizona Policy

Raymond Kronenbitter, Registered Nurse, Arizona Nurses Association

James Hallgren, Assistant Prayer Coordinator, 40 Days for Life, representing self

Chairman Barto reiterated that the intent of the bill is to allow egg donation for treatment of infertility, but not research. The monetary incentive to exploit women for research is too great.

Dr. Larsen stated that the infertility community is not buying eggs, but compensating women for their time, discomfort and inconvenience. Things are done with eggs that are research-based and have nothing to do with fertilization, which this bill would ban. Egg freezing can only be done by obtaining institutional review board approval. Research consent forms are far more burdensome than any clinical forms, so women go into this fully informed and knowing the risk even if it is for research purposes.

In response to a question, Chairman Barto stated that she does not share the same concern about sperm in relation to research because the monetary incentive is not as lucrative, there is no risk to the male and the process is not invasive, whereas a woman is given hormones for the purpose of egg retrieval, which is very invasive.

**Mr. Lopes moved that the Lopes 20-line amendment to SB1306 dated 3/30/10 (Attachment 4) be amended as follows:**

**Page 1, line 2 strike "OF" and insert "FOR"**

**The motion carried.**

**Vice-Chairman Court moved that the Lopes 20-line amendment to SB1306 dated 3/30/10 (Attachment 4) as amended be adopted. The motion carried.**

**Vice-Chairman Court moved that having voted on the prevailing side, the Committee reconsider its adoption of the Lopes 20-line amendment to SB1306 immediately. The motion carried.**

**Vice-Chairman Court moved that the Lopes 20-line amendment to SB1306 dated 3/30/10 (Attachment 4) as amended be adopted. The motion failed.**

**Vice-Chairman Court moved that the Barto 23-line 1:02 p.m. amendment to SB1306 (Attachment 3) as amended be adopted. The motion carried.**

**Vice-Chairman Court moved that SB1306 as amended do pass. The motion carried by a roll call vote of 5-2-0-2 (Attachment 11).**

**SB1307 – human embryos; treatment. – DO PASS AMENDED**

**Vice-Chairman Court moved that SB1307 do pass.**

**Vice-Chairman Court moved that the Barto two-line 12:08 p.m. amendment to SB1307 (Attachment 12) be adopted.**

**Vice-Chairman Court made a substitute motion that the Lopes nine-line amendment to SB1307 dated 3/30/10 (Attachment 13) be adopted.**

Ingrid Garvey, Majority Research Analyst, highlighted the differences between SB1307 and HB2652, human embryos; treatment. SB1307 prohibits a person from knowingly or intentionally creating or attempting to create an in vitro human embryo by any means other than fertilization of a human egg by a human sperm (Attachment 14). She explained that the Barto two-line 12:08 p.m. amendment specifies that nontherapeutic research does not include infertility treatment (Attachment 12). The Lopes nine-line amendment contains the following provisions (Attachment 13):

- Changes the definition of *nontherapeutic research*.
- Specifies that a person must not purchase or sell or offer to purchase or sell an in vitro human embryo or advertise for the purchase or sale of an in vitro human embryo for nontherapeutic research.
- Modifies the penalty for violating these provisions from a Class 3 misdemeanor to a Class 1 misdemeanor.

Mr. Lopes stated that when this issue was discussed before there was some concern about “hideous” experimentation, which the Lopes nine-line amendment is meant to address (Attachment 13). Discussion followed.

Nikolas Nikas, President, Bioethics Defense Fund, in support of SB1307, stated that the intent is to address four violations of human dignity:

- To prevent human cloning.
- To prevent the sale of human embryos.
- To prevent the creation of animal-human hybrids.
- To prevent the destruction of human embryos.

He responded to questions concerning his background and organization and clarified that he is not receiving compensation for testifying.

Chairman Barto remarked that Mr. Nikas is testifying as a legal expert.

Mr. Lopes stated that he would appreciate testimony from someone who can speak to the bioethical aspects of the bill rather than the legal aspects.

Discussion followed about preventing the creation of animal-human hybrids.

Dr. Kimball Pomeroy, embryologist, representing self, opposed SB1307. He said he fears the bill will inhibit infertility treatment. He opined that it will severely inhibit research and it is an anti-stem cell research bill, even if human embryos are not used. He added that he does not know how *nontherapeutic research* can be defined without defining research. The bill will prohibit the sending of embryos anywhere if it is not for therapy because sometimes it is not known if the patient will use those for therapy, although that is the intent. He responded to questions concerning the potential impact of the bill on freezing and thawing of eggs and genetic testing.

Mr. Nikas and Dr. Pomeroy agreed that the bill bans cloning (page 1, lines 41 through 43, Subsection A). Mr. Nikas stated that the definition of *nontherapeutic research* excludes IVF and

includes an intent provision so someone must intend to conduct research that is destructive. He cannot guarantee how a federal or state court judge will interpret the language, but the intent is not to go after someone who is freezing embryos for IVF. If the intent is to give leftover embryos to research or destroy the embryos, that is destructive.

Vice-Chairman Court announced the names of those who signed up in opposition to SB1307 but did not speak:

Dr. Kelly Damron, RESOLVE: The National Infertility Association

Frederick Larsen, Physician, representing self

Tina Nelson, President, RESOLVE, Arizona Affiliate, representing self

Susan Beck, representing self

Rebecca Shippe, representing self

Diana Thomas, President/Chief Executive Officer, X&Y Consulting, representing self

Kristen Boilini, Lobbyist, Reproductive Endocrinology and Infertility Society

Chandra Graham, IVF Patient, representing self

Jessica Stall, Reproductive Endocrinology & Infertility Society

Vice-Chairman Court announced the names of those who signed up in support of SB1307 but did not speak:

Beth Straley, Campaign Administrator, 40 Days For Life, representing self

Ron Johnson, Executive Director, Arizona Catholic Conference

Deborah Sheasby, Legal Counsel, Center for Arizona Policy

James Hallgren, Assistant Prayer Coordinator, 40 Days for Life, representing self

**Question was called on the substitute motion that the Lopes nine-line amendment to SB1307 dated 3/30/10 (Attachment 13) be adopted. The motion failed.**

**Question was called on the motion that the Barto two-line 12:08 p.m. amendment to SB1307 (Attachment 12) be adopted. The motion carried.**

**Vice-Chairman Court moved that SB1307 as amended do pass. The motion carried by a roll call vote of 5-2-0-2 (Attachment 15).**

### **SCR1044 – human cloning; prohibition – DO PASS**

**Vice-Chairman Court moved that SCR1044 do pass.**

Ingrid Garvey, Majority Research Analyst, explained that SCR1044 adds a constitutional prohibition on human cloning in any form in this state if approved by Arizona voters (Attachment 16).

Senator Chuck Gray, sponsor, stated that the bill relates to a constitutional amendment to prohibit human cloning in Arizona.

Vice-Chairman Court announced the names of those who signed up in support of SCR1044 but did not speak:

Raymond Kronenbitter, Registered Nurse, Arizona Nurses Association  
James Hallgren, Assistant Prayer Coordinator, 40 Days for Life, representing self

Chairman Barto remarked that this measure gives voters a chance to weigh in on whether or not this is the policy direction in which Arizona should be headed.

**Question was called on the motion that SCR1044 do pass. The motion carried by a roll call vote of 5-2-0-2 (Attachment 17).**

**SB1095 – access to child; notification – DO PASS**

**Vice-Chairman Court moved that SB1095 do pass.**

Gina Kash, Majority Assistant Research Analyst, explained that SB1095 requires a parent or custodian to immediately notify the other parent or custodian that a convicted or registered sex offender or a person who has been convicted of a dangerous crime against children may have access to the child (Attachment 18).

Senator Linda Gray, sponsor, stated that this was brought to her by the Domestic Relations Committee so individuals are notified if a sex offender is at an event with a child. There is no penalty for noncompliance, but she was told by the court that a parent can request enforcement and available remedies or penalties under A.R.S. Section 25-414 or Rule 91 of the Arizona Rules of Family Law Procedure.

Kendra Diegan, Litigation Coordinator, representing self, spoke in favor of SB1095. She said this bill is about notification in order to protect children from people who are known to harm children. If a parent is unaware, the child is placed at risk unnecessarily. She urged the Members to support the bill.

Vice-Chairman Court announced the names of those who signed up in opposition to SB1095 but did not speak:

Terry Decker, representing self

Vice-Chairman Court announced the names of those who signed up in support of SB1095 but did not speak:

Steve Wolfson, Attorney /Legislative Liaison, State Bar Family Law Section

**Question was called on the motion that SB1095 do pass. The motion carried by a roll call vote of 7-0-0-2 (Attachment 19).**

**SB1314 – domestic relations – DISCUSSED/NO ACTION TAKEN – (See Page 11)**

**Vice-Chairman Court moved that SB1314 do pass.**

Ingrid Garvey, Majority Research Analyst, explained that SB1314 states it is the public policy of this state that it is in a child's best interest to have substantial and meaningful parenting time with both parents and to have both parents participate in decision-making regarding the child (Attachment 20).

Vice-Chairman Court assumed the Chair.

Senator Sylvia Allen, sponsor, stated that she worked on this bill with a constituent, Judge David Goss, Judge Colleen McNally and the Domestic Relations Committee (DRC). It does not apply to children involved in abusive relationships and has nothing to do with parents in prison, out of the country or with severe addictions. The intent of the policy is to promote strong families and strong family values in situations where there are two good parents. She noted that the DRC plans to further study how custody is awarded in Arizona. In response to a question, she stated that the bill will not change existing custody laws.

Discussion followed about changing the standard of proof from *clear and convincing evidence* to *preponderance of evidence* in relation to the non-custodial parent having access to documents and other information about the child.

Thomas Alongi, Senior Staff Attorney, Community Legal Services (CLS), opposed SB1314. He talked about his background and purpose of CLS. He stated that Rule 49 of the Arizona Rules of Family Law Procedure mandates disclosure of any evidence, exhibits, witnesses, etc., and most standing pretrial conferences have deadlines for litigants to provide information, usually at least a month before trial. He asked the Members to reject this bill because it cannot be assumed that both parents are on board and fit the bill of health, and the possible perception by domestic violence victims that custody will have to be shared with an abuser. In response to a question about standard of proof, he stated that A.R.S. Section 25-403.06 contains those protections.

Terry Decker, representing self, testified in support of SB1314. Regarding the issue of clear and convincing evidence, he indicated that two other statutes, A.R.S. Sections 25-408 and 25-405.10, also contain that language in regard to obtaining records. He said he observed at least 150 family law cases, and in the majority of cases one parent was treated as unfit without any proof or justification, and as a result, the child is denied a parent. Further, the child has the belief imposed upon him/her that one parent is superior to the other. This bill intends to reduce conflict by removing the entitlement that some parents have over children and treating children as human beings with a constitutional right to both parents.

Katy Proctor, Legislative Liaison, Arizona Judicial Council, neutral on SB1314, stated that she opposed the original bill because of several troubling factors, but those were worked out with the sponsor and others. In response to questions, she indicated that the DRC discussed this on March 5, 2010 and advocated willingness to continue working on the issue.

Mike Espinoza, representing self, testified in support of SB1314. He stated that when children are removed from a parent, even after the parent is out of jail, the child still deserves to know the parent through reunification. It does not mean the relationship is dissolved. Regarding *clear and convincing evidence*, he noted that the judge said he is a fit parent, but he has not seen his son for

one-and-a-half years. A doctor said he whipped his son with a two-by-four board but never called CPS, and that he looked at pornography on the computer with his son, which is not true.

Mr. Alongi stated that all members of the Ad Hoc DRC work group agreed that the language on page 1, lines 16 and 17, of the bill stating that a court shall apply the provisions of this title in a manner that is consistent with the requirements of this section, is too restrictive.

**Vice-Chairman Court withdrew the motion that SB1314 do pass.**

THE MEETING RECESSED AT 1:05 P.M. UNTIL ADJOURNMENT OF THE FLOOR.

THE MEETING RECONVENED AT 5:02 P.M. ALL MEMBERS WERE PRESENT EXCEPT MR. BOONE AND MR. BRADLEY.

**SB1314 – domestic relations – HELD (CONTINUED)**

**Chairman Barto announced that SB1314 will be held.**

**SB1395 – CPS information – DO PASS**

**Vice-Chairman Court moved that SB1395 do pass.**

Gina Kash, Majority Assistant Research Analyst, explained that SB1395 allows any person to request that a transcript be made available of a closed proceeding that involves child abuse, abandonment or neglect which has resulted in a fatality or near fatality (Attachment 21).

Chairman Barto remarked that this is part of the full disclosure effort to make sure transcripts are available in Child Protective Services cases where a serious death or fatality occurs. She acknowledged that the bill restores the provision which was inadvertently removed last year, so Mr. Murphy suggested that an emergency clause be added.

Ingrid Garvey, Majority Research Analyst, stated that an emergency measure can be included on the Floor.

Vice-Chairman Court announced the names of those who signed up in support of SB1395 but did not speak:

Robin Quinn, representing self  
David Bodney, Attorney, Phoenix Newspapers, Inc.  
John Moody, Attorney, Arizona Newspapers Association

**Question was called on the motion that SB1395 do pass. The motion carried by a roll call vote of 7-0-0-2 (Attachment 22).**

**SB1376 – music therapists; qualifications – DO PASS**

**Vice-Chairman Court moved that SB1376 do pass.**

Gina Kash, Majority Assistant Research Analyst, explained that SB1376 requires the Department of Economic Security's (DES) Division of Developmental Disabilities (DDD) to establish qualifications for individuals who provide music therapy services through contract to the developmentally disabled (Attachment 23).

Angie Powell-Bollier, music therapist, Arizona Music Therapy Task Force, in favor of SB1376, provided a handout regarding music therapy (Attachment 24). She said this bill will rename an existing service to music therapy to avoid consumer confusion, keep the existing service under the habilitation heading to retain the funding source and place into statute the requirement that existing DDD services be provided only by credentialed therapists in order to protect the public. She added that the bill has no financial ramifications. She responded to questions about licensing, certification and credentials required to practice. She clarified that the bill will not change who serves in the position of music therapist for the DDD or change any pay scale.

Vice-Chairman Court announced the names of those who signed up in support of SB1376 but did not speak:

Suzanne Oliver, Arizona Music Therapy Recognition State Task Force; Neurologic Music Therapy Services of Arizona

Sherri Giguere, Music Therapist, Arizona Task Force for Music Therapy

Bethany Eriksen, Neurologic Music Therapist, Neurologic Music Therapy Services of Arizona

Vice-Chairman Court announced the names of those who signed up in opposition to SB1376 but did not speak:

Sue Braga, Arizona Chapter, American Academy of Pediatrics

**Question was called on the motion that SB1376 do pass. The motion carried by a roll call vote of 6-0-0-3 (Attachment 25).**

Without objection, the meeting adjourned at 5:20 p.m.

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Linda Taylor, Committee Secretary  
April 13, 2010

(Original minutes, attachments and audio on file in the Chief Clerk's Office; video archives available at <http://www.azleg.gov>)