

ARIZONA STATE SENATE

51ST LEGISLATURE SECOND REGULAR SESSION

MINUTES OF COMMITTEE ON HEALTH AND HUMAN SERVICES

DATE: February 19, 2014 **TIME:** 2:00 P.M. **ROOM:** SHR1

CHAIRMAN: Senator Nancy Barto **VICE-CHAIRMAN:** Senator Kelli Ward

ANALYST: Marianne Yamnik **INTERN:** Nicole Rivera

**COMMITTEE
SECRETARY:** Shelley Ponce

ATTENDANCE

BILLS

<u>Committee Members</u>	<u>Pr</u>	<u>Ab</u>	<u>Ex</u>	<u>Bill Number</u>	<u>Disposition</u>
Senator Ableser		X		SB 1045	HELD
Senator Bradley	X			SB 1136	DPA
Senator Burges	X			SB 1154	DPA/SE
Senator Hobbs	X			SB 1253	DPA
Senator Yee	X			SB 1320	DP
Senator Ward, Vice-Chairman	X			SB 1321	DPA
Senator Barto, Chairman	X			SB 1345	DPA
				SB 1346	DP
				SB 1370	DP
				SB 1379	DPA/SE
				SB 1380	DPA
				SB 1389	DP
				SB 1390	DPA
				SB 1404	DP
				SB 1407	DP
				SCM 1009	DP

Chairman Barto called the meeting to order at 3:52 p.m. and attendance was noted.

APPROVAL OF MINUTES

Senator Barto stated that without objection, the minutes of February 12, 2014 were approved.

CONSIDERATION OF BILLS

SB 1045 – insurance; equivalent cost-sharing requirements – HELD

Senator Barto stated that SB 1045 would be HELD.

SB 1390 – health care directives; conflicts – DO PASS AMENDED

Jake Agron, Judiciary Committee Analyst, explained SB 1390 and the 5-line Yee amendment dated 02/18/14 at 3:19 p.m. (Attachment A) and answered questions posed by the Committee.

Josh Kredit, Center for Arizona Policy, testified in support of SB 1390.

Nikolas Nikas, representing himself, testified as neutral and further explained SB 1390. Mr. Nikas answered questions posed by the Committee.

Senator Ward noted the individuals who registered their position on the bill (Attachment B).

Senator Ward moved SB 1390 be returned with a DO PASS recommendation.

Senator Ward moved the 5-line Yee amendment dated 02/18/14 at 3:19 p.m. (Attachment A) be ADOPTED. The motion CARRIED by voice vote.

Senator Ward moved SB 1390 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 5-1-1 (Attachment 1).

Senators Bradley, Yee, Ward and Barto explained their votes.

SB 1346 – grandparent stipend; dependent children – DO PASS

Marianne Yamnik, Health and Human Services Committee Analyst, explained SB 1346.

Senator Landrum Taylor, bill sponsor, distributed a handout entitled “SB 1346 Grandparent Stipend” (Attachment C) and further explained SB 1346.

Senator Ward moved SB 1346 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-1 (Attachment 2).

Senator Barto explained her vote.

SB 1320 – parent-child relationship; termination; petition – DO PASS

Nicole Rivera, Health and Human Services Committee Intern, explained SB 1320.

Senator Pancrazi, bill sponsor, further explained SB 1320.

Bill Kurkas, Chief Civil Deputy Attorney, Yuma County Attorney's Office, testified in support of SB 1320 and answered questions posed by the Committee.

Senator Ward noted the individuals who registered their position on the bill (Attachment B).

Senator Ward moved SB 1320 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-1 (Attachment 3).

SB 1404 – direct care plans; insurance; exemption – DO PASS

Marianne Yamnik, Health and Human Services Committee Analyst, explained SB 1404.

Dr. Scott Hastings, representing himself, testified in support of SB 1404 and answered questions posed by the Committee.

Andrew Carlson, Executive Assistant for Policy Affairs, Arizona Department of Insurance, testified as neutral on SB 1404 and answered questions posed by the Committee.

Senator Barto noted the individuals who registered their position on the bill (Attachment B).

Senator Ward moved SB 1404 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 4-2-1 (Attachment 4).

Senator Barto explained her vote.

SB 1380 – Arizona medical board; licensees; fingerprinting – DO PASS AMENDED

Marianne Yamnik, Health and Human Services Committee Analyst, explained SB 1380 and the following amendments:

6-page Barto amendment dated 02/18/14 at 1:17 p.m. (Attachment D)

2-line Barto amendment dated 02/19/14 at 3:15 p.m. (Attachment E) to the 6-page Barto amendment

Stuart Goodman, Arizona Medical Board, testified as neutral on SB 1380 and answered questions posed by the Committee.

Senator Barto noted the individuals who registered their position on the bill (Attachment B).

Senator Ward moved SB 1380 be returned with a DO PASS recommendation.

Senator Ward moved the 6-page Barto amendment dated 02/18/14 at 1:17 p.m. (Attachment D) be ADOPTED.

Senator Barto stated that, without objection, the 2-line Barto amendment dated 02/19/14 at 3:15 p.m. (Attachment E) to the 6-page Barto amendment would be offered.

Senator Ward moved the 2-line Barto amendment dated 02/19/14 at 3:15 p.m. (Attachment E) to the 6-page Barto amendment be ADOPTED. The motion CARRIED with a voice vote.

Senator Ward moved the 6-page Barto amendment dated 02/18/14 at 1:17 p.m. (Attachment D) AS AMENDED be ADOPTED. The motion CARRIED with a voice vote.

Senator Ward moved SB 1380 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-1 (Attachment 5).

Senator Barto explained her vote.

SB 1345 – board of physician assistants – DO PASS AMENDED

Marianne Yamnik, Health and Human Services Committee Analyst, explained SB 1345 and the 2-page Barto amendment dated 02/17/14 at 4:22 p.m. (Attachment F).

Geoffrey Hoffa, Physician’s Assistant, Arizona Regulatory Board of Physician’s Assistants, representing himself, testified in support of SB 1345 and answered questions posed by the Committee.

Stuart Goodman, Arizona Medical Board, testified in opposition to SB 1345.

Senator Ward noted the individuals who registered their position on the bill (Attachment B).

Senator Ward moved SB 1345 be returned with a DO PASS recommendation.

Senator Ward moved the 2-page Barto amendment dated 02/17/14 at 4:22 p.m. (Attachment F) be ADOPTED. The motion CARRIED by voice vote.

Senator Ward moved SB 1345 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 4-2-1 (Attachment 6).

Senators Bradley, Yee, Burges, Ward and Barto explained their votes.

SB 1389 – medical marijuana fund; education programs – DO PASS

Nicole Rivera, Health and Human Services Committee Intern, explained SB 1389.

Kimberly MacEachern, Staff Attorney, Arizona Prosecuting Attorneys Advisory Council, informed the Committee she was not testifying on behalf of the Arizona Prosecuting Attorneys Advisory Council, but was representing Sheila Polk the Chairperson of Matforce. Ms. MacEachern testified in support of SB 1389.

Senator Barto noted the individuals who registered their position on the bill (Attachment B).

Senator Ward moved SB 1389 be returned with a DO PASS recommendation.

Colby Bower, Arizona Department of Health Services, answered questions posed by the Committee.

Ms. MacEachern answered questions posed by the Committee.

Senator Yee requested the written testimony of Shelly Mowrey regarding SB 1389 be entered into the record (Attachment G).

Senator Ward restated her motion that SB 1389 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-1 (Attachment 7).

Senator Ward explained her vote.

SB 1407 – parental rights; termination; determinations – DO PASS

Amber Witter, Public Safety Committee Analyst, explained SB 1407.

Senator Barto noted the individuals who registered their position on the bill (Attachment B).

Senator Ward moved SB 1407 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-1 (Attachment 8).

SB 1321 – day care centers; exemption – DO PASS AMENDED

Marianne Yamnik, Health and Human Services Committee Analyst, explained SB 1321 and the 2-page Barto amendment dated 02/18/14 at 12:44 p.m. (Attachment H) and answered questions posed by the Committee.

Senator Pancrazi, bill sponsor, further explained SB 1321 and answered questions posed by the Committee.

Dr. Darwin Stiffler, Superintendent, Yuma School District representing himself, testified in support of SB 1321 and answered questions posed by the Committee.

Senator McComish, further explained SB 1321.

Shetal Walters, Executive Director, Desert Garden Montessori School, representing herself, distributed pictures of a day care center (Attachment I) and testified in support of the Barto amendment. Ms. Walters answered questions posed by the Committee.

Mary K. Reynolds, representing herself, testified in support of SB 1321.

Senator Barto noted the individuals who registered their position on the bill (Attachment B).

Senator Ward moved SB 1321 be returned with a DO PASS recommendation.

Senator Ward moved the 2-page Barto amendment dated 02/18/14 at 12:44 p.m. (Attachment H) be ADOPTED. The motion CARRIED by voice vote.

Senator Ward moved SB 1321 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 4-2-1 (Attachment 9).

Senators Yee, Ward and Barto explained their votes.

SB 1379 – health professionals; state regulation; exemption – DO PASS AMENDED/STRIKE EVERYTHING

Marianne Yamnik, Health and Human Services Committee Analyst, explained the 2-page Barto strike everything amendment dated 02/17/14 at 10:38 a.m. (Attachment J) and the 5-line Barto amendment dated 02/18/14 at 2:52 p.m. (Attachment K) to the strike everything amendment.

Stuart Goodman, Arizona Board of Physical Therapy and Other Health Regulatory Boards, testified in support of the strike everything amendment.

Barry Aarons, Arizona Association of Chiropractic, testified in support of the strike everything amendment.

Senator Ward noted the individuals who registered their position on the bill (Attachment B).

Senator Ward moved SB 1379 be returned with a DO PASS recommendation.

Senator Ward moved the 2-page Barto strike everything amendment dated 02/17/14 at 10:38 a.m. (Attachment J) be ADOPTED.

Senator Ward moved the 5-line Barto amendment dated 02/18/14 at 2:52 p.m. (Attachment K) to the strike everything amendment be ADOPTED. The motion CARRIED by voice vote.

Senator Ward moved the 2-page Barto strike everything amendment dated 02/17/14 at 10:38 a.m. (Attachment J) AS AMENDED be ADOPTED. The motion CARRIED by voice vote.

Senator Ward moved SB 1379 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-1 (Attachment 10).

SB 1154 – electronic do not resuscitate orders – DO PASS AMENDED/STRIKE EVERYTHING

Amber Witter, Public Safety Committee Analyst, explained the 4-page Ward strike everything amendment dated 02/17/14 at 12:31 p.m. (Attachment L) and the 4-page Barto amendment dated 02/18/14 at 2:59 p.m. (Attachment M) to the strike everything amendment.

Barry Aarons, Arizona Acupuncture Board of Examiners, distributed a handout entitled “Resolution Regarding the Use of Invasive Procedures by Physical Therapists” (Attachment N) and testified as neutral on the strike everything amendment.

Tom Dorn, Arizona Physical Therapy Association, testified in support of the strike everything amendment and answered questions posed by the Committee.

Deborah Malone, representing herself, testified in opposition to the strike everything amendment.

Charles Brown, Executive Director, Arizona State Board of Physical Therapy, representing himself, testified in support of the strike everything amendment.

Shuyuan Hong, representing herself, testified in opposition to the strike everything amendment.

Dr. Charles Mcdevitt, representing himself, testified in support of the strike everything amendment.

Catherine Niemiec, PIHMA Acupuncture College, representing herself, testified in opposition to the strike everything amendment.

Stuart Goodman, Arizona Board of Physical Therapy, testified in support of the strike everything amendment.

Lloyd G. Wright, member, Arizona Board for Acupuncture Safety, Arizona Society for Oriental Medicine and Acupuncture, representing himself, testified in opposition to the strike everything amendment.

Sean Flannagan, representing himself, testified in support of the strike everything amendment.

Cynthia Driskell, Physical Therapist, Association of Physical Therapists, representing herself, testified in support of the strike everything amendment.

Melissa Fletcher, Arizona Oriental Medicine Vision, representing herself, testified in opposition to the strike everything amendment.

Senator Ward moved SB 1154 be returned with a DO PASS recommendation.

Senator Ward moved the 4-page Ward strike everything amendment dated 02/17/14 at 12:31 p.m. (Attachment L) be ADOPTED. The motion CARRIED by voice vote.

Senator Ward moved SB 1154 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-1 (Attachment 11).

Senators Bradley and Barto explained their votes.

SB 1136 – acupuncture board of examiners – DO PASS AMENDED

Marianne Yamnik, Health and Human Services Committee Analyst, explained SB 1136 and the 2-line Barto amendment dated 02/18/14 at 2:54 p.m. (Attachment O).

Pete Gonzalez, Arizona Acupuncture Board of Examiners, testified in support of SB 1136.

Senator Ward noted the individuals who registered their position on the bill (Attachment B).

Senator Ward moved SB 1136 be returned with a DO PASS recommendation.

Senator Ward moved the 2-line Barto amendment dated 02/18/14 at 2:54 p.m. (Attachment O) be ADOPTED. The motion CARRIED by voice vote.

Senator Ward moved SB 1136 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-1 (Attachment 12).

SB 1253 – CPS; community social services; cooperation – DO PASS AMENDED

Marianne Yamnik, Health and Human Services Committee Analyst, explained SB 1253 and the 3-line Barto amendment dated 02/18/14 at 12:58 p.m. (Attachment P).

Senator Barto noted the individuals who registered their position on the bill (Attachment B).

Senator Ward moved SB 1253 be returned with a DO PASS recommendation.

Senator Ward moved the 3-line Barto amendment dated 02/18/14 at 12:58 p.m. (Attachment P) be ADOPTED. The motion CARRIED by voice vote.

Senator Ward moved SB 1253 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-1 (Attachment 13).

SB 1370 – adult protective services registry – DO PASS

Nicole Rivera, Health and Human Services Committee Intern, explained SB 1370.

Senator Ward moved SB 1370 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-1 (Attachment 14).

Senators Ward and Barto explained their votes.

SCM 1009 – medicare enrollment requirement; physicians; repeal – DO PASS

Marianne Yamnik, Health and Human Services Committee Analyst, explained SCM 1009.

Senator Ward moved SCM 1009 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 4-2-1 (Attachment 15).

Attached is a list noting the individuals who registered their position on the bill (Attachment B).

There being no further business, the meeting was adjourned at 7:39 p.m.

Respectfully submitted,

Shelley Ponce
Committee Secretary

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

Committee on Health and
Human Services
February 19, 2014