

# ARIZONA STATE SENATE

## 52ND LEGISLATURE SECOND REGULAR SESSION

### MINUTES OF COMMITTEE ON HEALTH AND HUMAN SERVICES

**DATE:** March 16, 2016

**TIME:** 2:00 P.M.

**ROOM:** SHR1

**CHAIRMAN:** Senator Nancy Barto

**VICE-CHAIRMAN:** Senator Carlyle Begay

**ANALYST:** Emily Mercado

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#### ATTENDANCE

#### BILLS

<u>Committee Members</u>	<u>Pr</u>	<u>Ab</u>	<u>Ex</u>	<u>Bill Number</u>	<u>Disposition</u>
Senator Bradley	X			HB 2100	DP
Senator Hobbs	X			HB 2107	DPA/SE
Senator Lesko	X			HB 2109	DPA
Senator Pancrazi	X			HB 2236	DPA/SE
Senator Yee	X			HB 2262	DPA
Senator Begay, Vice-Chairman	X			HB 2269	DP
Senator Barto, Chairman	X			HB 2270	DPA/SE
				HB 2307	DPA
				HB 2362	DPA
				HB 2501	DPA
				HB 2502	DP
				HB 2503	DP
				HB 2504	DP
				HB 2640	DP
				HB 2665	DP
				HB 2667	DP
				HB 2692	DP

Chairman Barto called the meeting to order at 2:30 p.m. and attendance was noted.

## **APPROVAL OF MINUTES**

**Senator Barto stated that without objection, the minutes of March 9, 2016 were approved.**

## **CONSIDERATION OF BILLS**

### **HB 2640 – appropriation; pediatric neurological autoimmune disorders – DO PASS**

**Phillip Belone, Health and Human Services Committee Research Intern, explained HB 2640.**

**Paul Ryan, representing himself, testified in support of HB 2640.**

**Senator Yee moved HB 2640 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 1).**

### **HB 2501 – health regulatory boards; transfer; DHS – DO PASS AMENDED**

**Phillip Belone, Health and Human Services Committee Research Intern, explained HB 2501 and the 3-page Barto amendment dated 03/15/16 at 12:13 p.m. (Attachment A) and the 3-line Lesko amendment dated 03/15/16 at 12:47 p.m. (Attachment B).**

**Representative Carter, bill sponsor, further explained HB 2501.**

**Christina Corieri, Arizona Governor’s Office, testified in support of HB 2501 and stated that she is opposed to the Barto and Lesko amendments. Ms. Corieri answered questions posed by the Committee.**

**Representative Carter stated that she is opposed to the Barto and Lesko amendments and answered questions posed by the Committee.**

**Maria Syms, Assistant Attorney General, also Legal Policy Advisor, Attorney General’s Office, testified in support of HB 2501 and answered questions posed by the Committee.**

**Senator Begay moved HB 2501 be returned with a DO PASS recommendation.**

**Senator Begay moved the 3-page Barto amendment dated 03/15/16 at 12:13 p.m. (Attachment A) be ADOPTED. The motion CARRIED by voice vote.**

**Senator Begay moved the 3-line Lesko amendment dated 03/15/16 at 12:47 p.m. (Attachment B) be ADOPTED. The motion CARRIED by voice vote.**

**Senator Begay moved HB 2501 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 2).**

**Senators Lesko and Barto explained their vote.**

**HB 2100 – state agency reports; electronic submission – DO PASS**

Emily Mercado, Health and Human Services Committee Research Analyst, explained HB 2100.

**Senator Begay moved HB 2100 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-1 (Attachment 3).**

**HB 2262 – child care assistance – DO PASS AMENDED**

Emily Mercado, Health and Human Services Committee Research Analyst, explained HB 2262 and the 5-line Barto amendment dated 03/15/16 at 2:25 p.m. (Attachment C).

Representative Brophy McGee, bill sponsor, further explained HB 2262 and answered questions posed by the Committee.

Kathy Ber, Department Economic Security, testified in support of HB 2262 and stated that she is in support of the Barto amendment.

Jeff Taylor, representing The Salvation Army, testified in support of HB 2262.

**Senator Begay moved HB 2262 be returned with a DO PASS recommendation.**

**Senator Begay moved the 5-line Barto amendment dated 03/15/16 at 2:25 p.m. (Attachment C) be ADOPTED. The motion CARRIED by voice vote.**

**Senator Begay moved HB 2262 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-1 (Attachment 4).**

**HB 2107 – substance abuse recovery homes – DO PASS AMENDED/STRIKE EVERYTHING**

Emily Mercado, Health and Human Services Committee Research Analyst, explained the 3-page Barto strike everything amendment dated 03/11/16 at 9:59 a.m. (Attachment D).

Representative Campbell, bill sponsor, further explained the strike everything amendment and answered questions posed by the Committee.

Maureen Michael, Compass Recovery Center, testified in support of the strike everything amendment.

Timothy Daniel Michael, Compass Recovery Center, testified in support of the strike everything amendment.

Theresa Ulmer, Arizona Recovery Housing Association, testified in opposition to the strike everything amendment.

Barry Aarons, representing City of Prescott, also City of Scottsdale, testified in support of the strike everything amendment.

**Benjamin Justiniano, Outreach and Alumni Director, Chapter 5 Treatment Program,** testified in support of the strike everything amendment.

**Jill Martin, representing herself,** testified in support of the strike everything amendment.

**Doug Dolan, Co-Owner, Recovery in the Pines, also Co-Owner, Sober Living Facility, Prescott,** testified in support of the strike everything amendment.

**Bradley Callow, Vice President, Strategic Partnerships, Decision Point,** testified in support of the strike everything amendment.

**Kevin Brown, Owner, Structured Sober Living Facility, Prescott,** testified in support of the strike everything amendment.

**Emily Jenkins, President and Chief Executive Officer, Arizona Council of Human Service Providers,** testified in support of the strike everything amendment.

**Thomas Brown, Director, Clean and Sober Living,** testified in opposition to the strike everything amendment.

**Senator Begay moved HB 2107 be returned with a DO PASS recommendation.**

**Senator Begay moved the 3-page Barto strike everything amendment dated 03/11/16 at 9:59 a.m. (Attachment D) be ADOPTED. The motion CARRIED by voice vote.**

**Senator Begay moved HB 2107 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 5).**

Senator Pancrazi explained her vote.

### **HB 2502 – medical licensure compact – DO PASS**

**Emily Mercado, Health and Human Services Committee Research Analyst,** explained HB 2502.

**Jason Bezozo, Banner Health Arizona,** testified in support of HB 2502 and answered questions posed by the Committee.

**Steve Barclay, Attorney, also Lobbyist, on behalf of the Arizona Medical Association,** testified in support of HB 2502 and answered questions posed by the Committee.

**Pete Wertheim, Executive Director, Arizona Osteopathic Medical Association,** testified in support of HB 2502 and answered questions posed by the Committee.

**Dr. Jane Orient, Executive Director, Association of American Physicians and Surgeons,** testified in opposition to HB 2502 and answered questions posed by the Committee.

**Andrew Schlafly, representing Association of American Physicians and Surgeons,** testified in opposition to HB 2502 and answered questions posed by the Committee.

Mr. Barclay answered additional questions posed by the Committee.

**Dr. Raman Mahabir, Board Certified Plastic and Reconstructive Surgeon, Mayo Clinic Arizona,** testified in support of HB 2502.

**Dr. Michael Robb, Oto-Neurologist,** testified in opposition to HB 2502 and answered questions posed by the Committee.

Mr. Barclay answered additional questions posed by the Committee.

**Representative Carter, bill sponsor,** further explained HB 2502 and answered questions posed by the Committee.

**Mike Williams, In-Office Ancillary Services Exception (IOASE),** testified in support of HB 2502 and answered questions posed by the Committee.

**Barb Fanning, Arizona Hospital and Healthcare Association,** testified in support of HB 2502.

**Doug Wardlow, Trial and Appellate Attorney, Alliance Defending Freedom,** testified in opposition to HB 2502 and answered questions posed by the Committee.

Mr. Barclay answered additional questions posed by the Committee.

Representative Carter further explained HB 2502 and answered additional questions posed by the Committee.

Senator Barto shared excerpt testimonies from Guy M. Kezirian, MD, MBA, FACS, President, SurgiVision® Consultants, Inc. (Attachment E) and Paul Martin Kempen, MD, Ph.D., Perioperative Anesthesiology, Pain and Critical Care, Weirton Medical Center (Attachment F).

**Senator Begay moved HB 2502 be returned with a DO PASS recommendation.  
The motion CARRIED with a roll call vote of 4-3-0 (Attachment 6).**

Senators Yee and Barto explained their vote.

### **HB 2269 – DCS; child abuse; neglect; reports – DO PASS**

**Phillip Belone, Health and Human Services Committee Research Intern,** explained HB 2269.

**Representative Allen, bill sponsor,** deferred to Joshua Tucker, Department of Child Safety, to further explain HB 2269.

**Joshua Tucker, Legislative Liaison, Department of Child Safety,** testified in support of HB 2269 and answered questions posed by the Committee.

**Senator Begay moved HB 2269 be returned with a DO PASS recommendation.  
The motion CARRIED with a roll call vote of 6-0-1 (Attachment 7).**

**HB 2665 – charter schools; preference; foster children – DO PASS**

**Bryanna McDaniel, Education Committee Research Intern**, explained HB 2665.

**Representative Allen, bill sponsor**, further explained HB 2665 and answered questions posed by the Committee.

**Michelle Traiman, Director, FosterEd, National Center for Youth Law**, testified in support of HB 2665 and answered questions posed by the Committee.

**Jay Kaprosy, Arizona Charter Schools Association**, testified in support of HB 2665 and answered questions posed by the Committee.

**Senator Begay moved HB 2665 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 5-1-1 (Attachment 8).**

**HB 2270 – foster parent training – DO PASS AMENDED/STRIKE EVERYTHING**

**Emily Mercado, Health and Human Services Committee Research Analyst**, explained the 2-page Lesko strike everything amendment dated 03/10/16 at 2:55 p.m. (Attachment G).

**Representative Allen, bill sponsor**, further explained the strike everything amendment.

**Senator Begay moved HB 2270 be returned with a DO PASS recommendation.**

**Senator Begay moved the 2-page Lesko strike everything amendment dated 03/10/16 at 2:55 p.m. (Attachment G) be ADOPTED. The motion CARRIED by voice vote.**

**Senator Begay moved HB 2270 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 9).**

**HB 2307 – anatomical gifts; procurement organizations; licensure – DO PASS AMENDED**

**Emily Mercado, Health and Human Services Committee Research Analyst**, explained HB 2307 and the 2-page Barto amendment dated 03/15/16 at 11:00 a.m. (Attachment H).

**Representative Cobb, bill sponsor**, further explained HB 2307.

**Cheyenne Walsh, Science Care Incorporated**, testified in support of HB 2307 and stated that she is in support of the Barto amendment. Ms. Walsh answered questions posed by the Committee.

**Senator Begay moved HB 2307 be returned with a DO PASS recommendation.**

**Senator Begay moved the 2-page Barto amendment dated 03/15/16 at 11:00 a.m. (Attachment H) be ADOPTED. The motion CARRIED by voice vote.**

**Senator Begay moved HB 2307 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 10).**

**HB 2667 – dental care; treatment; volunteer care – DO PASS**

Phillip Belone, Health and Human Services Committee Research Intern, explained HB 2667.

Representative Cobb, bill sponsor, further explained HB 2667.

**Senator Yee moved HB 2667 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 11).**

**HB 2362 – technical correction; AHCCCS; application process(now: nurse licensure compact) – (continued)**

Emily Mercado, Health and Human Services Committee Research Analyst, explained HB 2362 and the 16-line Barto amendment dated 03/15/16 at 11:08 a.m. (Attachment I).

Greg Harris, Lewis Roca Rothgerber Christie, on behalf of the State Board of Nursing, testified in support of HB 2362 and introduced Joey Ridenour, Executive Director, State Board of Nursing.

Joey Ridenour, Executive Director, State Board of Nursing, testified in support of HB 2362.

Teresa Sanzio, Registered Nurse, Attorney, representing the Health Care Providers, primarily Nurses, also Past-President, American Association of Nurse Attorneys, testified in opposition to HB 2362.

Alice Minch, Registered Nurse, testified in opposition to HB 2362.

Senator Barto stated that the next few bills would be discussed and would be voted on later.

**HB 2503 – psychologists; licensure compact – (continued)**

Emily Mercado, Health and Human Services Committee Research Analyst, explained HB 2503.

Dr. Bob Bohanske, Psychologist, testified in support of HB 2503.

**HB 2504 – revenue department; technical correction(now: physical therapy licensure compact) – DO PASS**

Emily Mercado, Health and Human Services Committee Research Analyst, explained HB 2504 and answered questions posed by the Committee.

Charles Brown, Executive Director, Arizona Board of Physical Therapy, testified as neutral to HB 2504.

**Senator Begay moved HB 2504 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 5-2-0 (Attachment 12).**

Senators Yee and Barto explained their vote.

**HB 2362 – technical correction; AHCCCS; application process(now: nurse licensure compact) – DO PASS AMENDED**

Senator Begay moved HB 2362 be returned with a DO PASS recommendation.

Senator Begay moved the 16-line Barto amendment dated 03/15/16 at 11:08 a.m. (Attachment I) be ADOPTED. The motion CARRIED by voice vote.

Senator Begay moved HB 2362 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 5-2-0 (Attachment 13).

**HB 2503 – psychologists; licensure compact – DO PASS**

Senator Begay moved HB 2503 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 5-2-0 (Attachment 14).

**HB 2692 – insurance; pharmacy benefits; audits; pricing(now: insurance; pharmacy benefits; audit procedures) – DO PASS**

Phillip Belone, Health and Human Services Committee Research Intern, explained HB 2692.

Kristen Boilini, Arizona Pharmacy Alliance, testified in support of HB 2692.

Senator Begay moved HB 2692 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-1 (Attachment 15).

**HB 2236 – DCS; conforming and technical changes – DO PASS AMENDED/STRIKE EVERYTHING**

Emily Mercado, Health and Human Services Committee Research Analyst, explained the 12-page Barto strike everything amendment dated 03/10/16 at 2:58 p.m. (Attachment J).

Rory Hays, Arizona Nurses Association, testified in support of the strike everything amendment.

Steve Barclay, Arizona Medical Association, testified as neutral to the strike everything amendment.

Senator Begay moved HB 2236 be returned with a DO PASS recommendation.

Senator Begay moved the 12-page Barto strike everything amendment dated 03/10/16 at 2:58 p.m. (Attachment J) be ADOPTED. The motion CARRIED by voice vote.

Senator Begay moved HB 2236 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-1 (Attachment 16).

**HB 2109 – pharmacists; licensure – DO PASS AMENDED**

Emily Mercado, Health and Human Services Committee Research Analyst, explained HB 2109 and the 11-page Barto amendment dated 03/14/16 at 3:17 p.m. (Attachment K).

Jessie Armendt, Arizona Pharmacy Alliance, testified in support of HB 2109.

**Senator Begay moved HB 2109 be returned with a DO PASS recommendation.**

**Senator Begay moved the 11-page Barto amendment dated 03/14/16 at 3:17 p.m. (Attachment K) be ADOPTED. The motion CARRIED by voice vote.**

**Senator Begay moved HB 2109 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-1 (Attachment 17).**

Senators Bradley, Begay and Barto explained their vote.

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

There being no further business, the meeting was adjourned at 7:29 p.m.

Respectfully submitted,

Imee L. Andrew  
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>)