

Approved \_\_\_\_\_

Date 3/17/86  
~~2-27-86~~

MINUTES OF THE HOUSE COMMITTEE ON PUBLIC HEALTH AND WELFARE

The meeting was called to order by Marvin L. Littlejohn at  
Chairperson

2:20 / h/h.p.m. on February 27, 1986 in room 423-S of the Capitol.

All members were present except:

Rep. Ed Bideau, Absent

Committee staff present:

Emalene Correll, Research

Norman Furse, Revisor

Sue Hill, Secretary to Committee

Conferees appearing before the committee:

Visitor's register, (see Attachment No. 1.)

Chairman called meeting to order when quorum was present. The time was 2:25 p.m. The House of Representatives was in session late, so this meeting was late being started. He welcomed all the nurses in attendance and thanked them for being patient in regard to delay of this meeting. (It was Nurses Day in the Capitol Building).

Chair brought attention to minutes in need of approval. Rep. Bryant moved the minutes of February 20, 24, 25, 26th, be approved as written, seconded by Rep. Green. Rep. Williams noted that on February 24th, typing errors need to be corrected in 4th line of conferees listed. With this correction made, minutes were approved as motion carried.

Chair recognized Rep. Flottman as chairman of sub-committee on HB 2756 to make her report and recommendations.

HB 2756:

Rep. Flottman distributed hand-out to members, (see Attachment No.2), for details. She reported that 2/19/86, she, Rep. Neufeld, Rep. Runnels had been appointed on the sub-committee on HB 2756. They met twice with staff members, and she reported their recommendations as follows: They have made drastic changes in the bill; eliminated the names of the children and parents in the reporting; deleted the section in regard to liability. On page 1, line 18, after the word environment, there would be a "."(period); strike rest of page 1, all of page 2, and strike on page 3, everything including line 97; then renumber the sections. She explained the hand-out which indicated the new language, please see attachment for details. Further, in new language in Section 1. after the phrase "concerning preschool children", "less than 6 years of age", consistent with other language used in relation to pre-school age children; this language would be helpful to the Secretary of Health and Environment to have an age defined in the bill, and the age 0-less than 6 years was decided upon; liability questions were raised, i.e., bill clearly says physicians shall report, however many would be judgment calls, perhaps a child was reported as having a handicap and later was not in fact in this group, the doctor could be liable for incorrect reporting. further, discussion in regard to advisement of this bill being reported as a substitute bill. Chair asked Mr. Furse to comment on same. Mr. Furse stated this could in fact become a substitute bill in-as-much as it is only 3 pages long, and he said some on sub-committee had discussed this possibility. Rep. Buehler made a motion to accept the sub-committee report and have this bill be worked as a substitute bill. Motion seconded by Rep. Friedeman. Discussion ensued, i.e., parents and childrens names being omitted from this reporting was done because some felt perhaps contact would be made to parents who did not have children at risk, or handicapped. Rep. Blumenthal made a substitute motion that HB 2756 be reported favorable for passage in its original form, motion seconded by Rep. Wagnon. Discussion, i.e., concerns seem to be the liability question; reporting of at risk children would serve to help parents who have handicapped child since this would allow for a place to go for help; parents have opportunity to have name withdrawn from the report if they so choose as provided for in language in the original bill;

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON PUBLIC HEALTH AND WELFARE,  
room 423-S, Statehouse, at 2:20 a/m./p.m. on February 27, 1986

Discussion continues on HB 2756.

language too vague in regard to (might have condition), and it would be most difficult for peditricians to comply with reporting; perhaps this bill is not a perfect answer but it might help to begin a program to help solve some existing problems; discussion on fiscal impact being hidden in area of programs yet to be developed, against the fiscal impact in respect to not having early intervention and reporting of cases of handicaps and children at risk. Further discussion on, data obtained isn't very different from information on birth certificate, and yet another bureaucracy isn't necessary; Representatives have received conflicting information from Doctors in the State.

Vote taken on substitute motion, division called, show of hands indicated 8 in favor 8 against, Chair voting against to make vote 9 against, Motion failed.

Back to orginal motion to accept Sub-Committee's report and to have HB 2756 worked as a substitute bill, vote taken, motion carried.

Rep. Wagnon moved substitute for HB 2756 be moved out favorable for passage, motion seconded by Rep. Branson, vote taken, division called, show of hands indicated 11 for and 7 against. Motion carried.

Rep. Buehler and Rep. Neufeld recorded as NO votes.

Members of the sub-committee on HB 2756 were thanked and commended for their hard work put in on this sub-committee report.

Meeting adjourned. Next meeting scheduled for Monday, March 3, 1986, 1:30 p.m.



REPORT OF SUBCOMMITTEE

MR. CHAIRMAN:

Your Subcommittee Recommends that House Bill No. 2756

"AN ACT concerning preschool children; relating to reporting of certain conditions of such children to the secretary of health and environment; granting immunity to persons making reports; providing for confidentiality of information; declaring certain acts to be misdemeanors and classifying the crime and the penalties therefor."

Be amended:

On page 1, by striking all of lines 23 to 45, inclusive;

On page 2, by striking all of lines 46 to 82, inclusive;

On page 3, by striking all of lines 83 to 97, inclusive, and by inserting in lieu thereof the following:

"Section 1. The purpose of the reporting requirement of this section is to allow the collection of accurate information concerning preschool children within the state who are at risk for, or who have, handicapping conditions. Every physician who has primary responsibility for treating such a child shall report the case to the secretary of health and environment on forms provided by the secretary. The report shall not identify the child or the parents or guardian of the child. The information may be used only as aggregate data for research and statistical purposes and to plan for services for such children.";

Also on page 3, in line 98, by striking "9" and inserting in lieu thereof "2";

On page 1, in the title, line 18, by striking all after "environment"; by striking all of lines 19 and 20; in line 21, by striking all before the period;

*Attn. # 2*  
*2/27/86*  
*Hs. PHW*