

**MINUTES**

**MONTANA SENATE  
61st LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON PUBLIC HEALTH, WELFARE AND SAFETY**

**Call to Order:** Chairman Roy Brown, on February 2, 2009 at 3:00 P.M., in Room 317-A Capitol.

**ROLL CALL**

**Members Present:**

Sen. Roy Brown, Chairman (R)  
Sen. Terry Murphy, Vice Chairman (R)  
Sen. Greg Hinkle (R)  
Sen. Carol C. Juneau (D)  
Sen. Cliff Larsen (D)  
Sen. Dave Lewis (R)  
Sen. Trudi Schmidt (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Joan Linkenbach, Committee Secretary  
Lisa Mecklenberg Jackson, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: SB 174, 2/15/2009

Executive Action: SB 44, SB 83, SB 271, SB 233

00:00:48 Chairman Brown

00:03:52 Recess

00:10:25 Reconvene

**HEARING ON SB 174**

**Opening Statement by Sponsor:**

00:10:43 Sen. Gary Perry (R), SD 35, opened the hearing on SB 174, Establish requirements for advanced pharmacist practitioner.

**EXHIBIT (phs24a01)**

**Proponents' Testimony:**

00:13:04 Lee Ann Bradley, RPh, PharmD, BCPS, Montana Pharmacy Association (MPA)

**EXHIBIT (phs24a02)**

00:15:42 Randale C. Sechrest, MD, Montana Spine and Pain Center (MSPC)

**EXHIBIT (phs24a03)**

00:18:25 Mary Anne Guggenheim, M.D., Retired Pediatric Neurologist, Montana Board of Medical Examiners (MBME)

**EXHIBIT (phs24a04)**

00:20:31 Aimee Grmoljez, Attorney, Billings Clinic (BC)

**Opponents' Testimony:**

00:21:26 Erin MacLean, Montana Medical Association (MMA)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:26:19 Sen. Lewis  
00:27:00 Ms. MacLean, MMA  
00:27:18 Sen. Juneau  
00:27:51 Sen. Perry  
00:28:08 Ms. Bradley, MPA  
00:28:55 Sen. Juneau  
00:29:28 Ms. Bradley, MPA  
00:30:55 Sen. Juneau  
00:31:03 Chairman Brown  
00:31:10 Sen. Juneau

00:31:35 Dr. Guggenheim, MBME  
 00:35:03 Chairman Brown  
 00:35:27 Dr. Guggenheim, MBME  
 00:36:21 Sen. Larsen  
 00:37:00 Dr. Sechrest, MSPC  
 00:39:50 Sen. Larsen  
 00:40:13 Dr. Sechrest, MSPC  
 00:41:11 Chairman Brown  
 00:42:33 Dr. Sechrest, MSPC  
 00:43:52 Sen. Juneau  
 00:45:01 Sen. Perry  
 00:45:10 Chairman Brown  
 00:45:15 Starla Blank, Pharmacist, MPA  
 00:47:12 Sen. Juneau  
 00:47:45 Ms. Blank, MPA  
 00:48:25 Sen. Juneau  
 00:48:39 Ms. Blank, MPA  
 00:49:48 Sen. Schmidt  
 00:50:43 Ms. Blank, MPA  
 00:51:54 Sen. Schmidt  
 00:52:19 Ms. Blank, MPA  
 00:52:31 Sen. Larsen  
 00:52:54 Ms. Blank, MPA  
 00:53:00 Sen. Larsen  
 00:53:07 Ms. Blank, MPA  
 00:54:23 Sen. Larsen  
 00:54:58 Chairman Brown

**Closing by Sponsor:**

00:55:08 Sen. Perry  
 01:00:14 Chairman Brown  
  
 01:00:22 Recess  
 01:09:35 Reconvened  
  
 01:10:20 Sen. Schmidt  
 01:14:19 Chairman Brown  
 01:14:32 Sen. Lewis  
 01:15:13 Sen. Schmidt  
 01:16:00 Chairman Brown  
 01:16:39 Sen. Schmidt

**EXECUTIVE ACTION ON SB 44**

01:17:46 **Motion:** Sen. Murphy moved **SB 44 DO PASS.**

**Motion:** Sen. Murphy moved that **SB44 BE AMENDED.**  
**EXHIBIT (phs24a05)**

**Discussion:**

01:18:44 Sen. Murphy

01:19:10 Lisa Mecklenberg Jackson, Legislative Services Division  
(LSD)

01:20:21 **Vote:** Motion carried 6-1 by voice vote with Sen.  
Juneau voting no.

01:20:17 **Motion:** Sen. Schmidt moved that **SB 44 BE AMENDED.**  
**EXHIBIT (phs24a06)**

**Discussion:**

01:20:47 Sen. Juneau

01:21:48 Sen. Schmidt

01:22:34 Chairman Brown

01:23:33 Sen. Schmidt

01:23:51 Sen. Murphy

01:24:17 Sen. Schmidt

01:24:53 Sen. Murphy

01:27:00 Chairman Brown

01:27:04 Sen. Schmidt

01:27:26 Sen. Larsen

01:29:18 Chairman Brown

01:29:29 Sen. Schmidt

01:30:04 Chairman Brown

01:30:12 Sen. Schmidt withdrew the motion to amend SB 44.

01:30:20 Sen. Murphy withdrew the do pass motion on SB 44.

01:30:50 Chairman Brown

**EXECUTIVE ACTION ON SB 83**

01:31:00 **Motion:** Sen. Juneau moved that **SB 83 DO PASS.**

**Discussion:**

01:31:33 Sen. Juneau

01:33:19 Sen. Schmidt

01:33:25 Chairman Brown  
01:34:04 Sen. Schmidt  
01:34:14 Sen. Murphy  
01:35:29 Sen. Hinkle  
01:36:54 Sen. Murphy  
01:37:23 Chairman Brown  
01:38:04 Lisa Jackson, LSD  
01:39:23 Sen. Larsen  
01:40:23 Chairman Brown

01:40:36 **Vote:** Motion carried 5-2 by roll call vote with  
Sen. Brown and Sen. Hinkle voting no.

**EXECUTIVE ACTION ON SB 271**

01:41:51 **Motion:** Sen. Murphy moved that **SB 271 DO PASS.**

**Discussion:**

01:42:40 Sen Hinkle  
01:45:36 Chairman Brown  
01:45:44 Sen. Hinkle  
01:45:50 Chairman Brown  
01:46:00 Sen. Murphy withdrew the do pass motion on SB 271.

**EXECUTIVE ACTION ON SB 233**

01:46:54 **Motion:** Sen. Murphy moved that **SB 233 DO PASS.**

**Discussion:**

01:47:17 Sen. Schmidt  
01:49:22 Sen. Hinkle  
01:50:14 Chairman Brown  
01:50:21 Lisa Jackson, LSD  
01:50:58 Sen. Hinkle  
01:51:26 Sen. Murphy  
01:54:04 Sen. Juneau  
01:54:27 Sen. Lewis  
01:55:30 Sen. Larsen  
01:57:25 Chairman Brown  
02:00:07 Sen. Schmidt  
02:00:31 Chairman Brown

**Without objection from the committee:**

02:01:21 Dr. Guggenheim, MBME  
  
02:03:06 Chairman Brown  
02:03:11 Sen. Schmidt

02:04:19 **Vote:** Motion failed 3-4 by roll call vote with Sen. Juneau, Sen. Murphy, and Sen. Schmidt voting aye.

02:05:46 Without objection, Chairman Brown reversed the vote and tabled the bill.

**ADJOURNMENT**

Adjournment: 5:10 P.M.

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Joan Linkenbach, Secretary

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Additional Documents:

**EXHIBIT ([phs24aad.pdf](#))**