

MINUTES

MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON PUBLIC HEALTH, WELFARE AND SAFETY

Call to Order: Chair Jason Priest, on March 11, 2013 at 3:00 PM, in Room 317 Capitol

ROLL CALL

Members Present:

Sen. Jason Priest, Chair (R)
Sen. Terry Murphy, Vice Chair (R)
Sen. Mary Caferro (D)
Sen. Greg Jergeson (D)
Sen. Fred Thomas (R)
Sen. David E. Wanzenried (D)
Sen. Art Wittich (R)

Members Excused: None

Members Absent: None

Staff Present: Julie Emge, Committee Secretary
Alexis Sandru, 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: HB 333, 2/6/2013; HB 310, 2/8/2013; HB 281, 2/7/2013

Executive Action on:	SR 8:	Be Adopted
	SJ 20:	Do Pass
	HB 280:	Be Concurred In
	HB 333:	Be Concurred In

HEARING ON HB 333

Opening Statement by Sponsor:

00:08:20 Rep. Jean Price (D), HD 21, opened the hearing on HB 333, Revise laws related to exemptions to allow sale of beverages at farmers' markets.

[EXHIBIT\(phs52a01\)](#)

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

00:12:26 Jim Murphy, Department of Public Health and Human Services (DPHHS)

[EXHIBIT\(phs52a02\)](#)

Questions from Committee Members and Responses:

00:13:19 Sen. Thomas

00:13:35 Rep. Price

00:14:22 Sen. Thomas

00:14:32 Rep. Price

00:14:50 Sen. Thomas

00:15:03 Rep. Price

Closing by Sponsor:

00:15:25 Rep. Price

HEARING ON HB 310

Opening Statement by Sponsor:

00:16:59 Rep. Cary Smith (R), HD 55, opened the hearing on HB 310, Prohibit lawsuits for wrongful birth and wrongful life.

[EXHIBIT\(phs52a03\)](#)

Proponents' Testimony:

00:18:49 Aimee Grmoljez, representing Billings Clinic (BC)

00:22:53 Shaun Gillis, MD, Montana Medical Association (MMA)

00:23:15 Sen. Jergeson left the hearing.

00:26:48 Mark Taylor, Montana Hospital Association (MHA), St. Peters Hospital (SPH), Bozeman Deaconess Hospital (BDH), Benefis Health System (BHS)

00:28:35 Randy Penton, Director of Risk Management, Billings Clinic (BC) and Executive Manager, Montana Healthcare Indemnity (MHI)

00:33:06 Mike Foster, Catholic Hospitals of Montana (CHM)
00:34:11 Moe Wosepka, Director, Montana Catholic Conference (MCC)

Opponents' Testimony:

00:36:22 Al Smith, Montana Trial Lawyers Association (MTLA)

Informational Testimony: None

Questions from Committee Members and Responses:

00:42:13 Sen. Wittich
00:45:40 Mr. Taylor, MHA, SPH, BDH, BHS
00:46:38 Sen. Wittich
00:47:31 Kiely Keane, Montana Medical Association (MMA)
00:48:30 Chairman Priest
00:50:49 Ms. Keane, MMA
00:50:57 Sen. Wittich
00:59:14 Dr. Gillis, MMA
00:59:33 Sen. Caferro
01:03:24 Mr. Smith, MTLA
01:04:40 Sen. Thomas
01:05:11 Ms. Grmoljez, BC
01:06:57 Chairman Priest
01:07:47 Ms. Grmoljez

Closing by Sponsor:

01:09:03 Rep. Smith
01:11:22 Sen. Wittich left the hearing.

HEARING ON HB 281

Opening Statement by Sponsor:

01:13:32 Rep. Cary Smith (R), HD 55, opened the hearing on HB 281, Provide for timely filing and resolution of claims in medical liability cases.

Proponents' Testimony:

01:16:43 Kiely Keane, Montana Medical Association (MMA)
01:22:41 Shaun Gillis, MD, Montana Medical Association (MMA)
01:24:08 Sen. Priest left the hearing.
01:25:14 Randy Penton, Director of Risk Management, Billings Clinic (BC) and Executive Manager, Montana Healthcare Indemnity (MHI)

01:29:26 Mark Taylor, Montana Hospital Association (MHA), St. Peters Hospital (SPH),
Bozeman Deaconess Hospital (BDH), Benefis Health System (BHS)

EXHIBIT(phs52a04)

01:30:15 Sen. Priest entered the hearing.

01:31:51 Margaret Morgan, Montana Dental Hygienist Association (MDHA)

01:32:37 Tom Ebzery, representing Catholic Hospitals of Montana (CHM)

01:34:25 Don Judge, representing Montana Nurses Association (MNA)

Opponents' Testimony:

01:35:18 Al Smith, Montana Trial Lawyers Association (MTLA)

EXHIBIT(phs52a05)

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:49:52 Rep. Smith

EXECUTIVE ACTION ON SR 8

01:55:15 **Motion/Vote:** Sen. Priest moved that **SR 8 BE ADOPTED**. Motion carried 7-0
by voice vote. Sen. Jergeson and Sen. Wittich voted by proxy.

EXECUTIVE ACTION ON SJ 20

01:55:59 **Motion/Vote:** Sen. Thomas moved that **SJ 20 DO PASS**. Motion carried 7-0 by
voice vote. Sen. Jergeson and Sen. Wittich voted by proxy.

01:56:22 Sen. Jergeson entered the hearing.

EXECUTIVE ACTION ON HB 280

01:56:39 Sen. Wanzenried

EXHIBIT(phs52a06)

Discussion:

01:57:38 Christina Goe, Office of the Commissioner of Securities and Insurance, State
Auditor (CSI)

01:58:28 Sen. Wanzenried

01:59:17 Ms. Goe, CSI

02:01:07 Sen. Thomas

02:01:26 **Motion:** Sen. Thomas moved that **HB 280 BE CONCURRED IN**.

02:01:40 **Motion:** Sen. Wanzenried moved that **HB 280 BE AMENDED.**
(see exhibit 6)

02:02:25 Sen. Thomas
02:02:43 Chairman Priest
02:03:28 Sen. Wanzenried
02:03:48 Chairman Priest
02:03:56 Sen. Thomas
02:06:13 Sen. Jergeson
02:08:35 Sen. Caferro
02:10:23 Sen. Thomas
02:11:40 Sen. Wanzenried
02:12:13 Sen. Murphy
02:12:19 Chairman Priest
02:12:45 Sen. Wanzenried

02:12:53 **Vote:** Motion failed 3-4 by roll call vote with Sen. Caferro, Sen. Jergeson and Sen. Wanzenried voting aye. Sen. Wittich voted by proxy.

Discussion:

02:14:50 Sen. Wanzenried
02:15:02 Ms. Goe
02:15:42 Chairman Priest
02:15:49 Ms. Goe

02:16:47 **Motion/Vote:** Sen. Thomas moved that **HB 280 BE CONCURRED IN.** Motion carried 4-3 by roll call vote with Sen. Caferro, Sen. Jergeson and Sen. Wanzenried voting no. Sen. Wittich voted by proxy. Sen. Thomas will carry the bill.

EXECUTIVE ACTION ON HB 333

02:17:58 **Motion/Vote:** Sen. Thomas moved that **HB 333 BE CONCURRED IN.** Motion carried 6-0 by voice vote. Sen. Wittich was excused. Sen. Jergeson will carry the bill.

ADJOURNMENT

Adjournment: 5:13 pm

Julie Emge, Secretary

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Additional Documents:

EXHIBIT([phs52aad.pdf](#))