

## MINUTES

### MONTANA SENATE 64th LEGISLATURE - REGULAR SESSION

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

**Call to Order:** Chair Fred Thomas, on February 9, 2015 at 3:00 PM, in Room 317  
Capitol

#### ROLL CALL

**Members Present:**

Sen. Fred Thomas, Chair (R)  
Sen. David Howard, Vice Chair (R) (arrived after roll call)  
Sen. Mary Caferro (D) (arrived after roll call)  
Sen. Diane Sands (D) (arrived after roll call)  
Sen. Cary Smith (R)  
Sen. Nels Swandal (R)

**Members Excused:** Sen. Jonathan Windy Boy (D)

**Members Absent:** None

**Staff Present:** Barbara Pietuch, 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: SB 207, 1/27/2015; SR 6, 2/5/2015

Executive Action: SB 148 DO PASS AS AMENDED; SR 6 BE ADOPTED

00:00:01 Chairman Thomas

**HEARING ON SB 207**

**Opening Statement by Sponsor:**

00:00:58 Sen. Bruce Tutvedt (R), SD 3, opened the hearing on SB 207, Revise laws related to defensive medicine.

**Proponents' Testimony:**

00:02:54 Carter Beck, M.D., president, Montana Medical Association (MMA)

00:03:30 Sen. Caferro entered the hearing.

00:03:36 Sen. Howard entered the hearing.

00:11:20 Bill Gallea, M.D., vice president, Montana Medical Association (MMA)

00:12:10 Stephen Tahta, M.D., Monida Healthcare Network

00:14:40 Bill Hasquet, O.D., president, Montana Optometric Association

00:18:53 Kiely Keane, Montana Medical Association (MMA)

00:21:28 Mark Taylor, representing Montana Hospital Association (MHA)

00:22:19 Aimee Grmoljez, representing Billings Clinic

00:24:14 Mike Foster, representing Catholic Hospitals of Montana

00:25:39 Glenn Oppel, Montana Chamber of Commerce

**Opponents' Testimony:**

00:26:46 Craig Daue, attorney, representing himself  
[EXHIBIT\(phs29a01\)](#)

00:37:40 Dan Buckley, attorney, representing himself

00:38:42 Sen. Sands entered the hearing.

00:42:58 Al Smith, Montana Trial Lawyers Association (MTLA)  
[EXHIBIT\(phs29a02\)](#)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:54:25 Sen. Smith

00:55:02 Mr. Smith, MTLA

00:55:33 Sen. Smith

00:55:43 Mr. Smith

00:56:09 Sen. Smith

00:56:21 Mr. Smith

00:56:48 Sen. Smith

00:56:56 Mr. Daue, attorney

00:57:53 Sen. Smith  
00:58:04 Ms. Keane, MMA  
00:59:43 Sen. Smith  
00:59:57 Ms. Keane  
01:00:21 Sen. Smith  
01:00:26 Ms. Keane  
01:00:37 Sen. Smith  
01:00:55 Ms. Keane  
01:01:25 Sen. Smith  
01:01:42 Chairman Thomas  
01:01:48 Mr. Beck, MMA  
01:03:25 Sen. Caferro  
01:03:50 Mr. Taylor, MHA  
01:06:27 Sen. Caferro  
01:06:35 Mr. Taylor  
01:06:45 Sen. Caferro  
01:08:01 Mr. Taylor  
01:08:24 Sen. Caferro  
01:08:31 Chairman Thomas  
01:09:54 Mr. Daue  
01:10:31 Chairman Thomas  
01:11:30 Mr. Daue  
01:12:14 Chairman Thomas  
01:12:51 Mr. Daue  
01:13:44 Chairman Thomas  
01:14:20 Mr. Daue  
01:14:48 Sen. Howard  
01:15:50 Mr. Daue  
01:16:57 Sen. Howard  
01:17:37 Mr. Daue  
01:18:02 Sen. Howard  
01:18:43 Mr. Daue  
01:18:52 Sen. Howard  
01:19:09 Ms. Keane  
01:20:11 Sen. Howard  
01:20:26 Ms. Keane  
01:20:38 Sen. Howard  
01:20:43 Ms. Keane  
01:20:58 Sen. Howard  
01:21:05 Sen. Caferro  
01:21:31 Ms. Keane  
01:22:32 Chairman Thomas

**Closing by Sponsor:**

01:22:44 Sen. Tutvedt  
01:26:22 Chairman Thomas

01:26:55 Chairman Thomas turned the chair over to Vice Chair Howard.

**HEARING ON SR 6**

**Opening Statement by Sponsor:**

01:27:03 Sen. Fred Thomas (R), SD 44, opened the hearing on SR 6, Confirm appointee to board of alternative health care.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

01:28:22 Sen. Thomas

01:28:40 Vice Chair Howard turned the chair back to Chairman Thomas.

**EXECUTIVE ACTION ON SB 148**

01:29:17 **Motion:** Sen. C. Smith moved that **SB 148 DO PASS.**  
[EXHIBIT\(phs29a03\)](#)

**Discussion:**

01:31:14 Chairman Thomas

01:31:18 Sen. Smith

01:31:48 Alexis Sandru, staff attorney, Legislative Services Division (LSD)

[EXHIBIT\(phs29a04\)](#)

01:32:45 Chairman Thomas

01:32:48 **Motion:** Sen. C. Smith moved that **SB 148 BE AMENDED.**

**Discussion:**

01:33:29 Ms. Sandru, LSD

01:33:59 Sen. Sands

01:34:07 Ms. Sandru

01:34:42 Sen. Smith

01:35:08 **Vote:** Motion carried unanimously by voice vote. Sen. Windy Boy voted by proxy.

**Discussion:**

01:35:40 Sen. Sands  
01:36:13 Sen. Smith  
01:41:32 Sen. Caferro  
01:41:48 Sen. Smith  
01:42:09 Sen. Caferro  
01:43:46 Sen. Smith  
01:44:12 Sen. Caferro  
01:44:41 Sen. Smith  
01:46:47 Sen. Caferro  
01:48:46 Sen. Howard  
01:50:43 Sen. Caferro  
01:50:59 Sen. Sands  
01:52:36 Sen. Smith  
01:54:50 Chairman Thomas

01:57:33 **Motion/Vote:** Sen. C. Smith moved that **SB 148 DO PASS AS AMENDED.** Motion carried 4-3 by roll call vote with Sen. Caferro, Sen. Sands and Sen. Windy Boy voting no. Sen. Windy Boy voted by proxy.

**EXECUTIVE ACTION ON SR 6**

01:58:38 **Motion/Vote:** Sen. Swandal moved that **SR 6 BE ADOPTED.** Motion carried unanimously by voice vote. Windy Boy voted by proxy.

**Committee Business:**

01:59:10 Chairman Thomas

**ADJOURNMENT**

Adjournment: 5:06 PM

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Barbara Pietuch, Secretary

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Additional Documents:

**EXHIBIT([phs29aad.pdf](#))**