



# 2017 LEGISLATIVE UPDATE

APRIL 2017 UCAN GENERAL MEETING

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# Utah Indoor Clean Air Act Amendments

HB 333 sponsored by Rep. Marc Roberts

- 2 five-year exceptions to UICAA put in place in 2012- e-cigarette sampling, hookah bars; both set to sunset July 1, 2017
- HB 333 would have removed sunset date and put exemptions into place permanently
- Bill went to House Health and Human Services; did not receive hearing due to lack of committee support

# School Sunscreen Provision

HB 288 sponsored by Rep. Craig Hall

- Students not allowed to bring sunscreen to school prior to this bill without doctors note
- Bill passed easily
- Bill does the following:
  - requires a public school to permit a student to possess and use sunscreen at school
  - permits a school employee to apply sunscreen on a student under certain conditions
  - provides immunity for an employee who applies sunscreen on a student and provides immunity for the employee's employer

# Amendments to Tobacco Regulations

## HB 370 sponsored by Rep. Brad Last

- Goal of bill to ensure enforcements of geographic distance requirements that govern location of tobacco specialty shops and to stop illegal hookah bars from operating
- Bill would have done the following:
  - amended the definition of smoking in the Utah Indoor Clean Air Act
  - beginning January 1, 2018, required a retail tobacco specialty business to obtain a permit from the local health department
  - Increased retailer fines for selling tobacco to minors and extended timeframe for accumulation of violations
- Bill passed House committee and full House; passed Senate committee and never got a vote before full Senate because of efforts of tobacco lobbyists

# Tobacco Age Restriction Amendments

## HB 406 sponsored by Rep. Steve Eliason

- Bill would have increased age to purchase and possess tobacco from 19 to 21. Phased in as follows:
  - beginning on July 1, 2018, the minimum age for obtaining, possessing, or using tobacco products would be 20 years of age; and
  - beginning on January 1, 2019, the minimum age for obtaining, possessing, or using tobacco products would be 21 years of age.
- Goal of bill was to exclude electronic cigarettes from the age increase
- Bill failed in House Business and Labor Committee
- 4<sup>th</sup> session issue has come before legislature

# Pharmaceutical Step Therapy

HB 266 sponsored by Rep. Eric Hutchings

- Step therapy means a fail-first protocol that requires an insured to use a drug, or several drugs in a particular order, before the insured's health benefit plan will pay for a drug ordered by the insured's health care provider.
- Bill would have:
  - prohibited the use of step therapy for pharmaceuticals unless certain conditions were met
  - required a health insurer to authorize bypass of a step drug when certain conditions were met
  - addressed adverse benefit determinations
- Bill went to House Health and Human Services; bill held and never brought back
- Will likely come back next session

# Other bills...

- Balance billing in ER situations
  - Would have prevented practice of balance billing in ER settings
  - 2 bills
  - 1 did not get a committee hearing; 2<sup>nd</sup> passed House, failed in the Senate
- Electronic cigarette tax
  - Would have imposed 86% tax on e-liquid
  - Did not get hearing
- Increased fines for selling tobacco to minors
  - Would have increased fines for selling to minors and increased timeframe for accumulation of violations
  - Passed House committee; never heard by full house
- Electronic cigarette regulation
  - Would have required electronic age verification for all tobacco sales
  - Sponsor abandoned bill