

Committee: House Health and Human Services

Tuesday, February 02, 2021 8:00 AM

Roll Call

Present: Rep. Deutsch, Rep. Healy, Rep. Kevin Jensen, Rep. Phil Jensen, Rep. Miskimins, Rep. Perry, Rep. St. John, Rep. Weis, Rep. Wiese, Rep. Davis, Rep. Aylward, Rep. Rehfeldt, and Rep. Keintz

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Kevin Jensen

MOTION: TO APPROVE THE MINUTES OF THURSDAY, JANUARY 28TH

Moved by: Phil Jensen
Second by: Perry
Action: Prevailed by voice vote

THE CHAIR DEFERRED HB 1041 UNTIL THURSDAY, FEBRUARY 04TH 2021

SB 3 : repeal certain sunset provisions regarding contagious disease control and enforcement.

Presented by: Kim Malsam-Rysdon, Department of Health (Handout(s) 1)
Proponents: Tim Rave, South Dakota Association of Healthcare Organizations
Dean Krogman, State Medical Association SD, Sioux Falls
Deb Fischer-Clemens, Avera Health, Sioux Falls
Opponents: Tonchi Weaver, South Dakota Citizens for Liberty, Rapid City
Florence K Thompson, self, Caputa
Mireille Halbert, self, Custer
Valerie Warner, self, Custer
Mya Olson, self, Bradley

MOTION: AMEND SB 3

3A

On page 1, line 3, of the Introduced bill, after "Dakota:" delete "Section 1. That section 2 of chapter 145 of the 2020 Session Laws be REPEALED."

On page 1, after line 3, of the Introduced bill, insert "

Section 1. That § 34-22-18.1 be AMENDED.

~~34-22-18.1. [Effective until July 1, 2021] Action for injunction to enforce department directive or order—Confidential information.~~

~~If the department has determined by medical or epidemiological information that a person is infected with, or is reasonably suspected of having active tuberculosis, severe acute respiratory syndrome coronavirus 2, which causes the disease known as COVID-19, any middle east respiratory syndrome (MERS), severe acute respiratory syndrome (SARS), smallpox, or viral hemorrhagic fevers, or any disease or condition which is the subject of a declared public health emergency pursuant to § 34-22-42, and that person presents a health threat to others, the department may commence an action in circuit court, pursuant to chapters 15-6 and 21-8, for injunctive relief as necessary to enforce any applicable department directive or order. The court shall treat individually~~

~~identifying information including the gender, age, ethnicity, race, national origin, location, or identity of any person subject to the proceedings as strictly confidential information. If necessary, identifying numbers or initials may be used to protect the individually identifying information of the person.~~

34-22-18.1. [Effective July 1, 2021] Action for injunction to enforce department directive or order--Confidential information.

If the department has determined by medical or epidemiological information that a person is confirmed to be infected with, or is reasonably suspected of having an active tuberculosis, severe acute respiratory syndrome coronavirus 2, which causes the disease known as COVID-19, any middle east respiratory syndrome (MERS), severe acute respiratory syndrome (SARS), smallpox, or viral hemorrhagic fevers, or any disease or condition which is the subject of a declared public health emergency pursuant to § 34-22-42, and that person presents a health threat to others, the department may commence an action in circuit court, pursuant to chapters 15-6 and 21-8, for injunctive relief as necessary to enforce any applicable department directive or order. The court shall treat individually identifying information including the gender, age, ethnicity, race, national origin, location, or identity of any person subject to the proceedings as strictly confidential information. If necessary, identifying numbers or initials may be used to protect the individually identifying information of the person.

Nothing in this section authorizes the department to compel a person to be vaccinated.

"

Moved by: Deutsch
 Second by: Rehfeldt
 Action: Prevailed by voice vote

MOTION: DO PASS SB 3 AS AMENDED

Moved by: Miskimins
 Second by: Healy
 Action: Prevailed by roll call vote (8-5-0-0)

Voting Yes: Deutsch, Healy, Miskimins, Perry, St. John, Davis, Rehfeldt, and Keintz

Voting No: Kevin Jensen, Phil Jensen, Weis, Wiese, and Aylward

SB 20 : place certain substances on the controlled substances schedule and to declare an emergency.

Presented by: Justin Williams, Department of Health (Handout(s) 2)

MOTION: DO PASS SB 20

Moved by: Perry
 Second by: Rehfeldt
 Action: Prevailed by roll call vote (12-0-1-0)

Voting Yes: Deutsch, Healy, Kevin Jensen, Miskimins, Perry, St. John, Weis, Wiese, Davis, Aylward, Rehfeldt, and Keintz

Excused: Phil Jensen

SB 6 : correct technical errors in statutory cross-references related to the Department of Social Services.

Presented by: Jeremy Lippert, Department of Social Services

THE CHAIR DEFERRED SB 6 UNTIL THURSDAY, FEBRUARY 04TH 2021

MOTION: ADJOURN

Moved by: Perry
Second by: Rehfeldt
Action: Prevailed by voice vote

Pam Kean, Committee Secretary

/s/ KEVIN D. JENSEN
Kevin D. Jensen, Chair