

Committee: House Health and Human Services

Tuesday, February 16, 2021 7:45 AM

Roll Call

Present: Rep. Deutsch, Rep. Healy, Rep. Kevin Jensen, Rep. Miskimins, Rep. Perry,  
Rep. Weis, Rep. Wiese, Rep. Davis, and Rep. Keintz

Present (Remote): Rep. Phil Jensen, Rep. St. John, Rep. Aylward, and Rep. Rehfeldt

OTHERS PRESENT: See Original Minutes

**The meeting was called to order by Representative Kevin Jensen**

**MOTION: TO APPROVE THE MINUTES OF THURSDAY, FEBRUARY 11<sup>TH</sup>**

Moved by: Perry

Second by: Wiese

Action: Prevailed by voice vote

**HB 1163 : revise provisions related to physician assistants.**

Presented by: Representative Chris Johnson

Proponents: Aaron P Scheibe, South Dakota Academy of Physician Assistants, Pierre  
Corey Anderson, self, Rapid City  
Justin Williams, Department of Health  
Don Haggard, Americans For Prosperity, Arlington  
Jennifer Stalley, AARP South Dakota  
Jennifer Stalley, Community Healthcare Association of the Dakotas, Sioux Falls  
Eric Nelson, AARP South Dakota, Sioux Falls  
Audrey Smeenck, self, Phillip

Opponents: Dean Krogman, State Medical Association SD, Sioux Falls (Handout(s) 1)  
Dr. Benjamin Aaker, SD Medical Association President, self, Yankton  
Dr. Jesse Barondeau, self, Mitchell  
Dr. Susan R. Bailey, self, Fort Worth, Texas  
Dr. Rob Allison, American College of Physicians, Pierre  
Dr. Dan Heinemann, SD Academy of Family Physicians  
Lane Blasius, self, Wall

**MOTION: AMEND HB 1163**

1163B

On page 1, line 20, of the Introduced bill, delete " five hundred twenty" and insert " one thousand forty"

On page 2, line 32, of the Introduced bill, delete " five hundred twenty" and insert " one thousand forty"

On page 3, line 20, of the Introduced bill, after "emergency." delete "Section 6. That § 36-4A-8. 2 be AMENDED.

"

On page 3, line 21, of the Introduced bill, after "AMENDED." delete "36-4A-8. 2. "

On page 3, line 21, of the Introduced bill, after "36-4A-8.2. " delete "Licensure by endorsement--  
Temporary licensure awaiting endorsement."

On page 3, line 22, of the Introduced bill, after "endorsement." delete "

Each applicant for licensure as a physician assistant in this state shall submit to a state and federal criminal background investigation by means of fingerprint checks by the Division of Criminal Investigation and the Federal Bureau of Investigation. Upon application, the board shall submit completed fingerprint cards to the Division of Criminal Investigation. Upon completion of the criminal background check, the Division of Criminal Investigation shall forward to the board all information obtained as a result of the criminal background check. This information shall be obtained prior to permanent licensure of the applicant. The board may require a state and federal criminal background check for any licensee who is the subject of a disciplinary investigation by the board. Failure to submit or cooperate with the criminal background investigation is grounds for denial of an application or may result in revocation of a license. The applicant shall pay for any fees charged for the cost of fingerprinting or the criminal background investigation. Upon application and payment of the required fee, the board may issue a license to practice as a physician assistant to a person licensed under the laws of another state, territory, or country if the requirements for licensure of the other state, territory, or country are at least as stringent as those of this state and the applicant is not otherwise disqualified under § 36-4A-8. Upon application and payment of the required fee, the board may issue a temporary license to a person awaiting licensure by endorsement under this section. A temporary license issued under this section shall state the dates between which it is valid. The period during which the temporary license is valid may not exceed one hundred twenty days.

The limitation on the term of a temporary license does not apply during a period of statewide disaster or emergency declared by the Governor under the authority of chapter 34-48A."

On page 4, line 14, of the Introduced bill, after "34-48A." delete "Section 7. That a NEW SECTION be added:

"

On page 4, line 15, of the Introduced bill, after "added:" delete "Criminal background investigation-- Applicants and licensees under investigation--Fees."

On page 4, line 16, of the Introduced bill, after "investigation--Fees." delete "

Each applicant for licensure as a physician assistant in this state shall submit to a state and federal criminal background investigation by means of fingerprint checks by the Division of Criminal Investigation and the Federal Bureau of Investigation. Upon application, the board shall submit completed fingerprint cards to the Division of Criminal Investigation. Upon completion of the criminal background check, the Division of Criminal Investigation shall forward to the board all information obtained as a result of the criminal background check. This information shall be obtained prior to permanent licensure of the applicant. The board may require a state and federal criminal background check for any licensee who is the subject of a disciplinary investigation by the board. Failure to submit to or cooperate with the criminal background investigation is grounds for denial of an application or may result in revocation of a license. The applicant shall pay for any fees charged for the cost of fingerprinting or the criminal background investigation."

Moved by: Perry

Second by: Weis

Action: Prevailed by voice vote

**MOTION: DEFER HB 1163 TO THE 41<sup>ST</sup> LEGISLATIVE DAY**

Moved by: Deutsch

Second by: Miskimins

Action: Prevailed by roll call vote (7-6-0-0)

Voting Yes: Deutsch, Miskimins, Perry, St. John, Weis, Wiese, and Keintz

Voting No: Healy, Kevin Jensen, Phil Jensen, Davis, Aylward, and Rehfeldt

**HB 1248 : provide for certain reporting regarding human embryos.**

Presented by: Representative Jon Hansen (Handout(s) 2)

Proponents: Dale Allen Bartscher, South Dakota Right to Life, Rapid City  
Chris Motz, South Dakota Catholic Conference, Sioux Falls  
Maggie Seidel, Governor's Office

Opponents: Norman Woods, Family Heritage Alliance Action, Rapid City  
Mitchell Rave, Sanford Health, Sioux Falls (Handout(s) 3)  
Jennie Boe, self, Sioux Falls  
Adelle Bauerle, self, Sioux Falls  
Amber Rikansrud, self, Sioux Falls  
Vanida Schmitt, self, Pierre

**MOTION: AMEND HB 1248**

1248E

On page 1, line 1, of the Introduced bill, delete "provide for certain reporting" and insert " require reports"

On page 1, line 1, of the Introduced bill, after "regarding " insert "the intentional disposal, destruction, or other disposition of "

On page 1, line 3, of the Introduced bill, after "Dakota:" delete "Section 1. That § 34-14-20 be AMENDED.

"

On page 1, line 4, of the Introduced bill, after "AMENDED." delete "34-14-20. "

On page 1, line 4, of the Introduced bill, after "34-14-20. " delete "Human embryo--Definition."

On page 1, line 4, of the Introduced bill, after "embryo--Definition." delete "

For purposes of §§ 34-14-16 to 34-14-20 34-14-20. 1, inclusive, the term, human embryo, means a living organism of the species Homo sapiens, at the earliest stages of development (, including the single-celled stage), that is not located in a woman's body."

On page 1, line 12, of the Introduced bill, delete "(1) The number of embryos created in the preceding calendar year;

(2) The number of embryos that were transferred to a woman's womb in the preceding calendar year;

(3) (a) The number of embryos that were created in the preceding calendar year and stored, but never transferred to a woman's womb; and

(b) The location at which the embryos were stored;

(4) (a) The number of embryos in storage on the preceding December thirty-first, regardless of their date of creation; and

(b) The location of the storage;

(5) (a) The number of embryos transferred during the preceding calendar year to a location other than the facility in which they were created or a woman's womb;

(b) The location to which the embryos were transferred; and

(c) The purpose for the transfer of the embryos; and

(6) (a) The number of embryos disposed of in the preceding calendar year; and

(b)" and insert

On page 2, line 1, of the Introduced bill, delete "The reason, by category, for the disposal of the embryos" and insert " T

(1) The number of embryos intentionally disposed of or destroyed, in this state, during the preceding calendar year;

(2) The number of embryos shipped or transported out of this state, during the preceding calendar year, for their intentional disposal or destruction in another state; and

(3) The number of embryos shipped or transported out of this state, during the preceding calendar year, for any purpose"

On page 2, line 2, of the Introduced bill, after "section " insert "must be provided by the department and "

On page 2, line 9, of the Introduced bill, after "34-14-20" insert ", and includes an embryo laboratory, as defined in 42 U. S. C. § 263a-7, on March 1, 2021"

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

**MOTION: DO PASS HB 1248 AS AMENDED**

Moved by: Deutsch  
Second by: Weis  
Action: Prevailed by roll call vote (8-5-0-0)

Voting Yes: Deutsch, Kevin Jensen, Phil Jensen, Miskimins, Perry, Weis, Wiese, and Aylward

Voting No: Healy, St. John, Davis, Rehfeldt, and Keintz

**HB 1147 : revise the definition of bona fide practitioner-patient relationship in relation to medical cannabis.**

Presented by: Representative Drew Dennert  
Proponents: Emmett Reistoffer, PrestoCorp, Sioux Falls (Handout(s) 4)

**MOTION: DEFER HB 1147 TO THE 41<sup>ST</sup> LEGISLATIVE DAY**

Moved by: Deutsch  
Second by: Davis  
Action: Was not acted on.

**MOTION: SUBSTITUTE MOTION: DO PASS HB 1147**

Moved by: Perry  
Second by: Healy  
Action: Prevailed by roll call vote (7-6-0-0)

Voting Yes: Healy, Kevin Jensen, Phil Jensen, Perry, St. John, Aylward, and Keintz

Voting No: Deutsch, Miskimins, Weis, Wiese, Davis, and Rehfeldt

**THE CHAIR DEFERRED HCR 6008 UNTIL THURSDAY, FEBRUARY 18<sup>TH</sup> 2021**

**MOTION: ADJOURN**

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

Pam Kean, Committee Secretary

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