

Committee: House Health and Human Services

Tuesday, February 22, 2022 7:45 AM

Roll Call

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

Excused: Rep. Keintz and Rep. St. John

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Kevin Jensen

MOTION: TO APPROVE THE MINUTES OF THURSDAY, FEBRUARY 17TH

Moved by: Perry

Second by: Phil Jensen

Action: Prevailed by voice vote

HB 1318 : prohibit medical abortion by telemedicine and to increase the penalty for the unlicensed practice of medicine when performing a medical abortion.

Presented by: Mark Miller, Governor's Office

Proponents: Donna Harrison, MD., self, Michigan
Dale Allen Bartscher, South Dakota Right to Life, Rapid City
Norman Woods, Family Heritage Alliance Action, Rapid City
Lisa Gennaro, Concerned Woman For America, Alexandria, VA
Sue Swayze Liebel, Self, Virginia

Opponents: Jett Jonelis, American Civil Liberties Union Foundation Inc, NY

Others: Representative Fred Deutsch, District 4 (Handout(s) #1,2)

MOTION: AMEND HB 1318

1318C

On page 1, line 1, of the Introduced bill, delete ", " and insert "and "

On page 1, line 2, of the Introduced bill, after "abortion" delete ", and to declare an emergency"

Moved by: Deutsch

Second by: Rehfeldt

Action: Prevailed by roll call vote (11-0-2-0)

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

Excused: Keintz and St. John

MOTION: AMEND HB 1318

1318A

On page 1, line 13, of the Introduced bill, delete "woman " and insert "mother "

On page 1, line 18, of the Introduced bill, delete "woman " and insert "mother "

On page 1, line 18, of the Introduced bill, delete "take " and insert "be administered "

On page 1, line 18, of the Introduced bill, delete "at a licensed abortion facility and only after " and insert "by the licensed physician who fully complied with all the provisions of § 34-23A-56, and first obtains, from the pregnant mother, all information required by § 34-23A-57 and her "

On page 1, line 19, of the Introduced bill, delete "has been obtained pursuant to § 34-23A-10. 1 and consistent with § 34-23A-56" and insert ". A different physician may administer Mifepristone and take a signed consent from the pregnant mother only if expressly authorized pursuant to § 34-23A-57"

On page 1, line 22, of the Introduced bill, delete "woman " and insert "mother "

On page 1, line 24, of the Introduced bill, delete "woman " and insert "mother "

On page 1, line 24, of the Introduced bill, delete "woman " and insert "mother "

On page 2, line 1, of the Introduced bill, delete "woman " and insert "mother "

On page 2, line 5, of the Introduced bill, delete "woman " and insert "mother "

On page 2, line 9, of the Introduced bill, delete "woman " and insert "mother "

On page 4, line 13, of the Introduced bill, delete "woman " and insert "mother "

On page 4, line 15, of the Introduced bill, delete "woman " and insert "mother "

On page 4, line 21, of the Introduced bill, delete "woman " and insert "mother "

Moved by: Deutsch

Second by: Wiese

Action: Prevailed by roll call vote (8-3-2-0)

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

Voting No: Davis, Healy, and Rehfeldt

Excused: Keintz and St. John

MOTION: DO PASS HB 1318 AS AMENDED

Moved by: Deutsch

Second by: Weis

Action: Prevailed by Majority Members Elect (10-1-2-0)

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

Voting No: Healy

Excused: Keintz and St. John

Representative Kevin Jensen, Chair, passed the gavel to Representative Deutsch, Vice Chair.

HB 1228 : expand the ability for patients to seek investigational drugs, biological products, or devices.

Presented by: Representative Steven Haugaard, District 10

Proponents: Matt Dean, Self, St. Paul, Minnesota

MOTION: DO PASS HB 1228

Moved by: Phil Jensen

Second by: Aylward

Action: Prevailed by Majority Members Elect (9-1-3-0)

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

Voting No: Healy

Excused: Keintz, St. John, and Kevin Jensen

The gavel was passed back to Representative Kevin Jensen, Chair.

HB 1242 : allow medical practice on the basis of conscience.

Presented by: Representative Steven Haugaard, District 10

Opponents: Tim Rave, South Dakota Association of Healthcare Organizations, Sioux Falls
Mitchell Rave, Sanford Health, Sioux Falls
Deb Fischer-Clemens, Avera Health, Sioux Falls
Darla Pollman Rogers, Wellmark Blue Cross and Blue Shield, Des Moines, IA
Justin G. Smith, Sioux Falls Area Chamber of Commerce, Sioux Falls
Jett Jonelis, American Civil Liberties Union Foundation Inc, NY
Samuel J Nelson, South Dakota Association of Nurse Anesthetists, Sioux Falls
Doug Abraham, South Dakota Retailers Association, Pierre
Doug Abraham, South Dakota Association of Specialty Care Providers, Rapid City
Terrance Lee Dosch, South Dakota Council of Community Behavioral Health, Pierre
Justin Bell, South Dakota State Medical Association, Sioux Falls
Robert C. Riter, South Dakota Pharmacists Association, Pierre

MOTION: DEFER HB 1242 TO THE 41ST LEGISLATIVE DAY

Moved by: Rehfeldt
Second by: Healy
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION: DO PASS HB 1242 AS AMENDED

Moved by: Phil Jensen
Second by: Deutsch
Action: Failed by Majority Members Elect (4-7-2-0)

Voting Yes: Aylward, Phil Jensen, Weis, and Deutsch

Voting No: Davis, Healy, Miskimins, Perry, Rehfeldt, Wiese, and Kevin Jensen

Excused: Keintz and St. John

Revert to previous motion

MOTION: DEFER HB 1242 TO THE 41ST LEGISLATIVE DAY

Moved by: Rehfeldt

Second by: Healy
Action: Prevailed by Majority Members Elect (7-4-2-0)

Voting Yes: Davis, Healy, Miskimins, Perry, Rehfeldt, Wiese, and Kevin Jensen

Voting No: Aylward, Phil Jensen, Weis, and Deutsch

Excused: Keintz and St. John

MOTION: ADJOURN

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

Pam Kean, Committee Secretary

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