

MINUTES  
**SENATE HEALTH & WELFARE COMMITTEE**

**DATE:** Thursday, February 07, 2019

**TIME:** 3:00 P.M.

**PLACE:** Room WW54

**MEMBERS PRESENT:** Chairman Martin, Vice Chairman Souza, Senators Heider, Lee, Harris, Burtenshaw, Bayer, Jordan, and Nelson

**ABSENT/ EXCUSED:** None

**NOTE:** The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

**CONVENED:** **Chairman Martin** called the meeting of the Senate Health and Welfare Committee (Committee) to order at 3:00 p.m.

**AGENDA CHANGE:** **Chairman Martin** announced that approval of minutes will be taken up at the end of the meeting.

**RS 26598** **Relating to County Jails ...** To Revise Provisions Regarding Reception and Board of Prisoners.

**Seth Griggs**, Executive Director, Association of Counties, stated this proposed legislation relates to the obligation of counties to pay for medical expenses of individuals who are no longer under the custody of the county sheriff. He advised that while an individual is incarcerated the county sheriff is responsible for covering the inmate's medical expenses. Historically, when an individual has been released from the county's custody, the obligation of the county to pay for medical expenses ends. **Mr. Griggs** advised that an Ada County inmate attempted suicide while incarcerated, suffered severe injuries, and was hospitalized for an extended period. As a result, the county elected to drop the charges and not pursue further action against this individual. The county felt at that point forward the medical expenses of that individual should be borne by whatever appropriate financing mechanisms were available to him. The hospital sued the Ada County Sheriff asking for payment of continuing medical expenses, and the Idaho supreme Court ruled that counties are, in some cases, responsible for payment of the continuing medical bills of inmates after they have been released from the sheriff's custody. **Mr. Griggs** stated that this proposed legislation clarifies that if an individual is released from the sheriff's custody, the obligation of the county to provide medical services for that individual ends with the release of that individual.

**DISCUSSION:** **Senator Jordan** expressed concern about the broadness of the use of the word "county," pointing out that this could be any county entity, such as the Catastrophic Health Care (CAT) fund. She asked for assurance that if **RS 26598** is sent to print that the CAT fund and indigent program might still be available for those individuals who are released from the sheriff's custody. **Mr. Griggs** indicated that would be the intent, and although he is comfortable with the language, if this presents a problem as we move forward the Association of Counties would be open to an amendment.

**MOTION:** **Senator Lee** moved to send **RS 26598** to print. **Senator Harris** seconded the motion. The motion carried by **voice vote**.

**RS 26708** **Related to Individuals with Disabilities ...** That need Service Dogs.

**Senator Lee** related that there have been numerous complaints regarding problems with untrained animals in retail businesses. She stated this legislation was brought before the Committee last year, and because it needed significant work, it did not make it out of Committee. During the past year the parties came together to bring forward a bill that everyone could support. She acknowledged Pam Eaton for her hard work on this endeavor. **Senator Lee** indicated that this proposed legislation clarifies what is in the Americans with Disabilities Act related to service animals, and what Idaho's policy is related to service animals.

**MOTION:** **Vice Chairman Souza** moved to send **RS 26708** to print. **Senator Bayer** seconded the motion.

**DISCUSSION:** **Chairman Martin** commented that when the bill comes back for hearing he would like clarification on exactly what "service animals" includes. **Senator Lee** responded that the Americans with Disabilities Act states that the only service animals are dogs. She stated this legislation does not apply to comfort animals or emotional support animals.

**VOICE VOTE:** The motion to send **RS 26708** to print carried by **voice vote**.

**MINUTES APPROVAL:** **Vice Chairman Souza** moved to approve the Minutes of January 10th, 14th, and 15th, 2019. **Senator Heider** seconded the motion. The motion carried by **voice vote**.

**ADJOURNED:** There being no further business at this time, **Chairman Martin** adjourned the meeting at 3:15 p.m.

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Senator Martin  
Chair

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Margaret Major  
Secretary

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Assisted by Lois Bencken