

MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Tuesday, January 23, 2024

**TIME:** 9:00 A.M.

**PLACE:** Room EW20

**MEMBERS:** Chairman Vander Woude, Vice Chairman Erickson, Representatives Blanksma, Kingsley, Mitchell, Dixon(24), Gallagher, Healey, Redman, Wheeler, Chew (Wilson), Rubel, Roberts

**ABSENT/  
EXCUSED:** Representative(s) Blanksma

**GUESTS:** The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

**Chairman Vander Woude** called the meeting to order at 9:00 a.m.

**MOTION:** **Rep. Roberts** made a motion to approve the minutes of the January 17 and 18, 2024, meetings. **Motion carried by voice vote.**

**RS 30989:** **Rep. Dori Healey**, District 15, presented **RS 30989** to establish a Maternity Mortality Review Committee to collect and review data.

**MOTION:** **Rep. Rubel** made a motion to introduce **RS 30989**. **Motion carried by voice vote.**

**Chairman Vander Woude** turned the gavel over to **Vice Chairman Erickson**.

**DOCKET NO. 24-0601-2301:** **Katie Stuart**, Bureau Chief, Administration Bureau, Division of Occupational and Professional Licenses (DOPL), presented **Docket No. 24-0601-2301** for the Board of Occupational Therapists. The chapters have been realigned for consistency with other boards. Duplicative and inactive language or procedures have been removed. No fees were added.

Answering a question, **Ms. Stuart** said germane continuing education (CE) classes allow the licensee to select those best matching their actual work.

**MOTION:** **Rep. Healey** made a motion to approve **Docket No. 24-0601-2301**.

**Ms. Stuart** explained the deleted definitions either exist in statute or are incorporated elsewhere in the Rule.

**Lisa Hong**, Occupational Therapist, Advocacy Chair, Idaho Occupational Therapists Association, testified **in support of Docket No. 24-0601-2301**, stating the association was included and involved in the rules process.

**VOTE ON MOTION:** **Chairman Erickson** called for a vote on the motion to approve **Docket No. 24-0601-2301**. **Motion carried by voice vote.**

**DOCKET NO. 24-1101-2301:** **Katie Stuart**, Bureau Chief, Administration Bureau, DOPL, presented **Docket No. 24-1101-2301** on behalf of the Board of Podiatry. The changes update the Board's legal authority, standards of ethical practice, definitions, and remove duplicative or outdated procedures and statuses. The new licensure section allows applicants to select germane CE classes. There are no fee changes.

**MOTION:** **Rep. Redman** made a motion to approve **Docket No. 24-1101-2301**. **Motion carried by voice vote.**

**DOCKET NO. 24-1301-2301:** **Katie Stuart**, Bureau Chief, Administration Bureau, DOPL, on behalf of the Physical Therapists Licensure Board presented **Docket No. 24-1301-2301**. The rule changes update the Board's legal authority, incorporate federal codes of ethics, remove duplicated definitions, provide clarity, and remove unneeded certification. There are no fee changes.

**MOTION:** **Rep. Healey** made a motion to approve **Docket No. 24-1301-2301**. **Motion carried by voice vote.**

**DOCKET NO. 24-1601-2301:** **Katie Stuart**, Bureau Chief, Administration Bureau, DOPL, on behalf of the State Board of Dentistry, presented **Docket No. 24-1601-2301**. The changes remove outdated or duplicative sections and definitions. An inactive fee was removed but no fees were added. The licensees can select the CE classes which are germane to their profession. Other changes better align with the Board's authority.

The disciplinary sections have been updated similar to those for other boards. **Ms. Stuart** noted this board does not typically see any disciplinary cases. Because the inspection ability is in statute, it was not needed in the Rules.

**MOTION:** **Rep. Wheeler** made a motion to approve **Docket No. 24-1601-2301**.

A committee member expressed concern regarding the Zero Based Regulations paring down of rules is not providing enough sideboards or definitions, leaving areas of vagueness which will require future clarification.

**VOTE ON MOTION:** **Chairman Erickson** called for a vote on the motion to approve **Docket No. 24-1601-2301**. **Motion carried by voice vote.**

**DOCKET NO. 24-1401-2301:** **John Price**, Bureau Chief, Occupational Licenses Bureau, DOPL, on behalf of the Board of Social Work Examiners presented **Docket No. 24-1401-2301**. Removals and deletions include definitions and unnecessary or duplicative language. Some sections were renamed and moved. Current independent licenses will be converted to the full license equivalent. A new "Supervisor" definition was added. Examination fee information was removed because it is not controlled or collected by the board. Civil fine costs and fees were removed. No other fees were changed. CE hours were reduced to 30 hours every two years with two hours in ethics.

The Code of Professional Conduct was reworked and moved to Practice Standards. Provisions for bartering were removed. Provisions for romantic relations was separated into two rules for clarity, with no change to the time frame for friends or family of former clients. The time frame for former clients was changed to ten years following termination of a social worker's services. Dual relationships was changed to allow for social workers not knowing all of their clients' close personal relations.

Responding to concerns expressed by the committee, **Mr. Price** explained the previously listed types of relationship wording was confusing. The test administering national association collects the fees. The number of ethic disciplinary cases led to the increased CE ethics class time. Rules with no basis in statute were removed. There is no specific reference in statute for discrimination based on gender identity or sexual orientation.

**MOTION:** **Rep. Roberts** made a motion to approve **Docket No. 24-1401-2301**.

**Rep. Wilson** declared Rule 80 stating a possible conflict of interest and said she would be voting on the motion.

**VOTE ON MOTION:** **Chairman Erickson** called for a vote on the motion to approve **Docket No. 24-1401-2301**. **Motion carried by voice vote.** **Reps. Vander Woude, Gallagher,** and **Kingsley** requested they be recorded as voting **NAY**.

**DOCKET NO. 24-1501-2301:** **John Price**, Bureau Chief, Occupational Licenses Bureau, DOPL, on behalf of the Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists presented **Docket No. 24-1501-2301**.

Updates include the board's legal authority, reference to the national code of ethics, and combine licensure requirements for each field into one rule. Definitions or requirements not in statute were removed. Additional definitions for "individual" and "group" were added. Sections were renamed with additional information moved into them for simplification. Fees for senior license, inactive license, and inactive-to-active licenses were removed. An existing \$25 examination and re-examination fee was moved into the table. The CE hourly requirements were reduced to 12 total hours within the prior 24 months preceding renewal, with six hours in ethics and six hours in suicide assessment or intervention.

**Mr. Price** explained the unchanged post-graduate supervised hours have been moved to the Licensure section. The Board, after reviewing other states, determined there was no scientific evidence regarding the direct impact of lowering CE hours. However, they did specify CE classes regarding common Idaho issues. Any discrimination language would be found in their code of ethics, which has a link on their website.

**MOTION:** **Rep. Healey** made a motion to approve **Docket No. 24-1501-2301**.

During discussion committee members mentioned the need for more suicide training hours, the possible lack of clarity when referencing outside sources, the Board's ability to understand the needs of their profession, and the Zero Based Regulation simplification result of vagueness which is left open to interpretation.

**VOTE ON MOTION:** **Chairman Erickson** called for a vote on the motion to approve **Docket No. 24-1501-2301**.

**ROLL CALL VOTE:** **Chairman Erickson** stated he was in doubt regarding the voice vote and called for a roll call vote on the motion. **Motion carried by a vote of 7 AYE, 5 NAY and 1 Absent/Excused. Voting in favor of the motion: Reps. Erickson, Dixon(24), Healey, Wheeler, Wilson, Rubel, Roberts. Voting in opposition to the motion: Reps. Kingsley, Mitchell, Gallagher, Redman, Vander Woude. Rep. Blanksma was absent/excused.**

**DOCKET NO. 24-2701-2301:** **John Price**, Bureau Chief, Occupational Licenses Bureau, DOPL, on behalf of the State Board of Massage Therapy presented **Docket No. 24-2701-2301**. Changes include reference to part of the national certification code of ethics, deleting the definitions section, incorporating a simplified application section into the general licensure section, renaming sections, and removing duplicative sections. Temporary license is now covered under the provisional permit section. All CE references were removed.

**MOTION:** **Rep. Redman** made a motion to approve **Docket No. 24-2701-2301. Motion carried by voice vote. Rep. Gallagher** requested she be recorded as voting **NAY**.

**Vice Chairman Erickson** turned the gavel over to **Chairman Vander Woude**.

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 10:20 a.m.

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Representative Erickson  
Chair

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Irene Moore  
Secretary