

MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Tuesday, February 15, 2022

TIME: 1:30 P.M.

PLACE: Room EW05

MEMBERS: Chairman Holtzclaw, Vice Chairman Syme, Representatives Harris, Kingsley, Christensen, Wisniewski, Horman, Hanks, Weber, McCann, Chew, Necochea, Toone

**ABSENT/
EXCUSED:** None

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

Chairman Holtzclaw called the meeting to order at 1:30pm.

MOTION: **Rep. Kingsley** made a motion to approve the minutes of February 9, 2022. **Motion carried by voice vote.**

Aaron White, Commissioner and Chairman of the Idaho Industrial Commission explained that the Commission began as the Industrial Accident Board because of the alarming rates of workplace injuries after the Industrial Revolution. It now consists of three commissioners: one represents labor, one employers, and the third is an attorney representative. They are funded by a two percent tax on insurance premiums. The Commission administers and regulates the workers' compensation system. They help employers understand workers' compensation law and implement it, resolve informal disputes, approve lump sum settlement agreements, and return injured workers to work. They also have an Advisory Committee which has sixteen members who represent everyone affected by workers' compensation. Finally, the Crime Victims Compensation Program provides financial assistance to innocent victims of crime.

In response to questions, **Mr. White** said that they are able to completely cover the cost of forensic examinations for victims of sexual assault.

In response to questions about the Commission's role in resolving disputes, **Mr. White** said the Commission reviews settlements to ensure that they are in the best interest of all parties. Once a settlement has been reached, the injured worker cannot claim further expenses from the injury in the future. The Commission makes sure the worker is aware of this before accepting settlements.

Thomas Baskin, Commissioner and Attorney Representative of the Idaho Industrial Commission, explained subrogation as a situation where there has been a denial of certain medical care for a work injury so the claimant pays for the care via health insurance. At some point in the future, the workers' compensation pays out and the insurance company wants to be reimbursed for the cost of the medical care. The Industrial Commission must ensure that these situation are thoroughly investigated prior to approving the settlement.

DOCKET NO. 17-0000-2100: **Sonnet Robinson**, Idaho Industrial Commission, Referee, Rules Review Officer, presented **Docket No. 17-0000-2100** explaining that there have been no changes to these rules since they were last reviewed by the committee.

MOTION: **Rep. Syme** made a motion to approve **Docket No. 17-0000-2100**. **Motion carried by voice vote.**

- H 551:** **Rep. Syme** explained **H 551** would allow the PERSI board to have the right to subpoena bank records to discover where the retirement money is being deposited after the intended recipient has died.
- MOTION:** **Rep. McCann** made a motion to send **H 551** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Syme** will sponsor the bill on the floor.
- H 552:** **Rep. Syme** said **H 552** increases the time period that a political subdivision can stay on PERSI. Currently, if their average membership decreases by twenty five members or twenty five percent, they have to be removed from PERSI. Due to current staffing shortages, this bill would allow these political subdivisions more time to increase membership before they are removed. **H 552** also changes the word liability to penalty because the term penalty provides for better standing during bankruptcy proceedings.
- MOTION:** **Rep. McCann** made a motion to send **H 552** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Syme** will sponsor the bill on the floor.
- H 553:** **Rep. Syme** explained **H 553** authorizes PERSI to have FBI background checks done on employees who have access to sensitive information.
- MOTION:** **Rep. Weber** made a motion to send **H 553** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Syme** will sponsor the bill on the floor.
- ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 2:23pm.

Representative Holtzclaw
Chair

Emily Huddleston
Secretary