

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Tuesday, January 16, 2024

TIME: 9:00 A.M.

PLACE: Room EW20

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

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

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.

RS 30879: **Rep. Blanksma**, District 8, presented **RS 30879** to require legislative approval of the Department of Health and Welfare waivers and state plan amendments. It does not affect pre-existing state plan amendments or waiver programs.

MOTION: **Rep. Dixon(24)** made a motion to introduce **RS 30879**. **Motion carried by voice vote.**

RS 30897: **Rep. Blanksma**, District 8, presented **RS 30897** to change the current opt-out immunization registry to an opt-in system.

MOTION: **Rep. Healey** made a motion to introduce **RS 30897**. **Motion carried by voice vote.**

RS 30898: **Rep. Blanksma**, District 8, presented **RS 30898** to authorize the Board of Medicine to collect maternal mortality data and present an annual summary to the legislature.

MOTION: **Rep. Dixon(24)** made a motion to introduce **RS 30898**. **Motion carried by voice vote.**

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

DOCKET NO. 16-0603-2301: **Aubrie Hunt**, Program Manager, Idaho Child Care Program (ICCP) and Temporary Assistance for Needy Families (TANF), Department of Health and Welfare (DHW), presented **Docket No. 16-0603-2301**. In response to the legislature's 2023 request, daycare facility licensing has been moved into its own IDAPA chapter.

The new chapter incorporates existing standards and aligns with federal and other state statutes. Updates include safe sleep practices, annual inspections, and record keeping requirements. There are no changes to licensing fees.

MOTION: **Rep. Redman** made motion to approve **Docket No. 16-0603-2301**. **Motion carried by voice vote.**

DOCKET NO. 16-0602-2301: **Julie Sevcik**, Program Manager, Policy and Program Development, DHW, presented **Docket No. 16-0602-2301** for foster care licensing. The updates remove references to daycare facility licensing, which now has its own chapter. A new Section meets the Federal Bureau of Investigation (FBI) requirements for Purpose Code X background checks for relatives and fictive kin who are identified as an emergency placement for children entering foster care. Adding this Section continues Idaho's authority which has been given temporarily and would expire on October 1, 2024. Without this ability a child could not be immediately placed with a safe individual the child knows.

During question and answer the committee members shared strong concerns regarding the vagueness of the terms "physically and emotionally suited," "be of good character," "functional literacy," and they requested clearer definitions.

Answering questions **Ms. Sevcik** explained use of the FBI Project Code X requires promulgation into state rules or law. Idaho's temporary use of Project Code X will end October 1, 2024, without such inclusion. She said concerns by a social worker regarding a home situation are discussed in conjunction with several home visits and phone calls with the family. A family's religious affiliation is considered only to assure the child can attend the church of their choice. No questions are asked about personal or political beliefs. There is an appeal process.

MOTION: **Rep. Rubel** made a motion to approve **Docket No. 16-0602-2301**.

SUBSTITUTE MOTION: **Rep. Vander Woude** made a substitute motion to **HOLD Docket No. 16-0602-2301** in committee for further review, subject to Call of the Chair.

Answering a further question, **Ms. Sevcik** agreed a temporary rule could be promulgated to address the Project Code X issue, if the Rule was not approved.

VOTE ON SUBSTITUTE MOTION: **Chairman Erickson** called for a vote on the substitute motion to **HOLD Docket No. 16-0602-2301** in committee for further review, subject to Call of the Chair. **Motion carried by voice vote.**

DOCKET NO. 16-0601-2301: **Andie Blackwood**, Bureau Chief, Child Welfare Program, DHW, presented **Docket No. 16-0601-2301** with changes to allow non-licensed workers with a background in human services as well as a bachelor's degree in a human services field to fill positions for case planning and case management services for children and families due to concerns of abuse, neglect, or abandonment. This expands the "responsible party" definition to provide flexibility and address staffing issues while ensuring the safety of children in the child welfare system.

MOTION: **Rep. Healey** made a motion to approve **Docket No. 16-0601-2301**. **Motion carried by voice vote.**

DOCKET NO. 16-0719-2301: **Treana Clark**, Policy Program Manager, Division of Behavioral Health, DHW, presented **Docket No. 16-0719-2301** regarding the criteria and procedures for peer support specialists or family support partners. Changes provide clarification and remove redundant, outdated, and inefficient language. National codes of ethics are included by reference. A new Section is added to address the hardship some peers face in obtaining the certification required supervision hours. Other changes reduce burdensome requirements for reciprocity and streamline the certification process. The shared experience of a peer specialist or family support partner provides a close connection and hope.

MOTION: **Rep. Wheeler** made a motion to approve **Docket No. 16-0719-2301**. **Motion carried by voice vote.**

DOCKET NO. 16-0725-2301: **Treana Clark**, Policy Program Manager, Division of Behavioral Health, DHW, presented **Docket No. 16-0725-2301** for retail permits to sell tobacco products and electronic smoking devices. The changes remove redundant language and align with the Prevention of Minors Access to Tobacco Products and Electronic Smoking Devices Act, including increasing the legal age. Other changes reduce the regulatory training program burden on retailers.

MOTION: **Rep. Healey** made a motion to approve **Docket No. 16-0725-2301**. **Motion carried by voice vote.**

DOCKET NO. 16-0739-2301: **Treena Clark**, Policy Program Manager, Division of Behavioral Health, DHW, presented **Docket No. 16-0739-2301**. The changes align with those made to the Mental Health Act in 2022 by expanding the designated examiners requirements to include the qualifications for a senior designated examiner. The senior designated examiner has been added to all relevant sections. The "Regional Program Manager" has been changed to "HUB Manager" to reflect current practice.

MOTION: **Rep. Healey** made a motion to approve **Docket No. 16-0739-2301**. **Motion carried by voice vote.**

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 10:06 a.m.

Representative Erickson
Chair

Irene Moore
Secretary