

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Tuesday, February 06, 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) Rubel

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 January 30, 2024, meeting minutes. **Motion carried by voice vote.**

RS 31106: **Rep. Young**, District 30, presented **RS 31106** to address concerns regarding essential caregiver visitation restrictions during situations such as COVID. This proposed legislation establishes the Essential Caregivers Act, to include immediate family members. The patient or resident stipulates the caregivers, with a provision for withdrawal of that status. It aligns with the statute for surrogate decision makers and addresses hospital issues to educate individuals regarding essential caregivers. This statute would not pertain to persons in law enforcement custody. It would not be active when there are no visitation restrictions.

MOTION: **Rep. Healey** made a motion to introduce **RS 31106**. **Motion carried by voice vote.**

RS 30825: **Katie Stuart**, Bureau Chief, Administration Bureau, Division of Occupational and Professional Licenses (DOPL), presented **RS 30825**, proposed legislation to bring the compact licensing background check procedures in alignment with the Federal Bureau of Investigation requirements.

MOTION: **Rep. Redman** made a motion to introduce **RS 30825**. **Motion carried by voice vote.**

H 392: **Rep. Jacyn Gallagher**, District 9, presented **H 392** to change the wording "all things required" to "necessary and reasonable things required." This provides a parameter for the District Health Boards.

Sen. Brian Lenney, District 13, further presented **H 392**. In the wake of COVID 19, trust in the health systems is important. This legislation solidifies that trust by clearly defining the role of the public health districts. The use of "all things necessary" inadvertently handed them unlimited authority. The change provides boundaries and safeguards against misuse, with accountability and oversight. "Preventative health measures" has been removed to allow individuals to make their own decisions.

Answering questions, **Sen. Lenney** said the removal of "preventative health measures" restrains the board's power, not existing preventative programs. The changes assure the board is not overstepping its boundaries or requiring anything in the name of preventative health. There is no change to the existing regulatory or enforcement mechanisms.

David Pettinger, Self, testified **in support** of **H 392** stating this is a change to address the unnecessary and unreasonable acts committed by the District Health Boards during the pandemic.

Kirk Chandler, County Commissioner, Retired, Southwest District Health, Ex-member, testified **in support** of **H 392**. The county commissioners enforce the actions of the District Health Boards. There were a lot of injustices done during COVID without the county commissioners' required approval. It is important the District Health Boards introduce their plans to the county commissioners prior to implementation.

Sara Clendenon, Health Freedom Idaho, testified **in support** of **H 392**. The changes require the District Health Boards to explain their actions. It will assure what happened during COVID does not reoccur.

Misty Karlfeldt, Health Freedom Idaho, testified **in support** of **H 392**, which asks the health districts to pause and assure what they are doing is necessary and reasonable, improving the checks and balances.

In closing comments, **Sen. Lenney**, stated **H 392** holds government actors accountable to the people and demonstrates clarity is the solution to ambiguity and unchecked power. This simple change reaffirms the rights and autonomy of all Idahoans.

MOTION: **Rep. Wheeler** made a motion to send **H 392** to General Orders.

SUBSTITUTE MOTION: **Rep. Kingsley** made a substitute motion to send **H 392** to the floor with a **DO PASS** recommendation.

Committee discussion revealed strong concerns regarding the impact on existing preventative programs with the removal of "preventative health measures."

MOTION WITHDRAWN: **Rep. Kingsley** made a unanimous consent request to withdraw his substitute motion to send **H 392** to the floor with a **DO PASS** recommendation. There being no objection the request was granted.

VOTE ON MOTION: **Chairman Vander Woude** called for a vote on the motion to send **H 392** to General Orders. **Motion carried by voice vote.** **Rep. Gallagher** requested she be recorded as voting **NAY.** **Rep. Gallagher** will sponsor the bill on the floor.

H 435: **Nicki Chopski**, Health Professions Bureau Chief, DOPL, Executive Officer, Board of Medicine, Board of Nursing, Board of Pharmacy, presented **H 435** for the Uniform Controlled Substances Act. Additions include one synthetic opioid and four illicit stimulants added to Schedule I. Methoxetamine is moved to the hallucinogens section of code.

MOTION: **Rep. Redman** made a motion to send **H 435** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Reps. Chew** and **Erickson** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 9:52 a.m.

Representative Vander Woude
Chair

Irene Moore
Secretary