

MINUTES
(Subject to approval by the Committee)
Children at Risk-Faith Healing Working Group
Monday, October 10, 2016
9:30 A.M.
State Capitol, Room EW 42
Boise, Idaho

Co-chair Joe Palmer called the meeting to order at 9:32 a.m. A silent roll call was taken. Members present were: Co-chair Senator Dan Johnson, Co-chair Representative Joe Palmer, Senators Jeff Siddoway, Marv Hagedorn, and Mark Harris. Representatives Steven Harris, Clark Kauffman, Janet Trujillo, and John Gannon. Senator Dan Schmidt was absent and excused. Legislative Services Offices (LSO) staff members present were: Ryan Bush, Jared Hoskins, and Ana Lara.

Others in attendance: Betsy Russell, The Spokesman Review; Jan M. Peterson, C.H.I.L.D.; April Hoy, Steve Scanlin, and Jeremy Nowlend, Children's Right to Live; Representative Gayle Batt, Idaho State Legislature; Judy Cross, Interfaith Alliance of Idaho; Miste Gardner Karlfeldt, Traci Kinsman, Anna Price, Heidi Pearson, Jinny Peterson, Valerie Charles, Ashley Cates, Hannah Ruschen, Amy Ziegler, and Steve Baker, Health Freedom Idaho; Gary Arbaugh and Bruce Wingate, Protect Idaho Kids; Ken Beryls, First Church of Christ; Lin Paporello, Christian Science; Roger Sherman, Idaho Children's Trust Fund; Brian Hoyt, Linda Martin, Bob Martin, Nick Jones, Tiffany Hix, Rose Gress, Geoff Schroeder, Ann McClanahan, Daniel Sevy, Charles Kiester, Sara Brady, Dr. Joshua Durham, Nathan Kangas, Christy Zito, Erwin Sonnenberg, Scott Larsen, Andra Wilson, Reverend Andrew Kukla, Paul Shippy, Kirt Naylor, Rosa Martinez, Eric Pedersen, Megan Ulrich, Charles Baver, Kristof Bihari, Chas Della Silva, Jessica Arno, Elexandra Beikmann, Pro-Life, Slade Shippy, and Brad McIntyre.

NOTE: Copies of presentations, handouts, and reference materials can be found at: www.legislature.idaho.gov and are also on file at the Legislative Services Office.

Co-chair Palmer began the committee meeting by asking that the individuals who would be providing testimony refrain from making any personal attacks towards any groups or individuals. He explained that those providing public testimony should speak specifically about how the law affects them personally.

Co-chair Palmer called for the approval of the August 4, 2016 minutes. Representative Harris made a motion to accept the minutes of August 4, 2016. Co-chair Johnson seconded the motion. The motion passed unanimously.

Co-chair Palmer called upon the first person who had signed up for public testimony, Ms. Linda Martin, to begin the testimony period.

1. Linda Martin - Spoke about her difficult personal experience as a member of a religious group that prescribed to faith-healing methods. She spoke in favor of removing the religious exemption that exists for faith-healing methods.
2. Bob Martin - Spoke about the difficulty his wife, Ms. Linda Martin, experienced as a member of a religious group that prescribed to faith-healing methods. He spoke in favor of removing the religious exemption that exists for faith-healing methods.
3. Jan Peterson - Discussed the history of Oregon's religious exemptions, as well as the repeal of those exemptions. She opined that when parents become aware of these new laws, and its potential penalties, they tend to obey the laws.
4. Brian Hoyt - Provided a list of names of children, as well as their causes of death, believed to have passed away in faith-healing communities. He advocated for the removal of the religious exemptions.

5. Tiffany Hix - Stated that faith-based neglect should not be confused with religious freedom. Ms. Hicks emphasized that all Idaho children deserve the same protection, and that no parent should be above the law.
6. Jinny Peterson - Opined that the State has been equating protection of the child with choosing allopathic medicine. She cautioned that by doing this, it would mean that any other form of treatment would constitute neglect. Ms. Peterson emphasized that there is risk with any choice of healing methods.
7. Ken Beryls - Stated that he serves as government relations counsel for the Christian Science Church, and detailed some of his professional background. He provided some historical background for the religious exemptions. He explained that the laws were not intended to unduly restrict religious practice, or presume neglect based solely on the method of care that one chose.
8. Gary Arbaugh - Referenced the repeal of the religious exemptions in Oregon. He opined that repealing the religious exemptions in Idaho may encourage faith-healing practitioners to obey the laws.
9. Rose Gress - Advocated for the right of parents to practice the religion of their choosing.
10. Bruce Wingate - Stated that in 2009, he had founded the Protect Idaho Kids Foundation, a nonprofit charity founded to protect the children in Idaho. He referenced two court cases (Reynolds v. United States) and (Prince v. Massachusetts) to support his observations that Idaho's faith-healing exemption allows children to suffer and die based on their parent's beliefs.
11. Lin Paporello - Stated that she is the appointed representative of Christian Science for the state of Idaho. She described her practice of religious and spiritual healing as a way of life. She opined that the original provision was to allow for involvement from parents to decide on what care their children should receive.
12. Geoff Schroeder - Referred to Rep. Gannon's proposed amendment, and opined that a person who exercises their first amendment right to their religious freedom, that then causes harm to someone, should be held to account for it.
13. Dr. Joshua Durham - Stated his occupation as a family practitioner in Boise. He described hypothetical situations that faith-healing parents and their children may encounter. He emphasized that the Legislature has the ability to create laws that give parents the knowledge of medical care, and asked that the Legislature remove the faith-healing exemption.
14. Nathan Kangas - Described himself as a member of the Followers of Christ church. He referred to the Bible to explain his faith-healing beliefs. Mr. Kangas opined that there is not enough focus on the amount of children that die due to malpractice.
15. Miste Gardner Karlfeldt - Stated that she is the executive director for Health Freedom Idaho. Ms. Karlfeldt described her experience with her autoimmune disease. She further described her positive experience using a natural path. Ms. Karlfeldt stated her concern that by removing the faith-healing exemption, it might potentially impact the use of holistic healthcare.
16. Kirt Naylor - Stated his occupation as an attorney in Boise, and proceeded to describe his previous experience in prosecution, as well as his experience as part of the Governor's Taskforce for Children at Risk. He urged the Legislature to take action to repeal all the exemptions based on faith-healing that protect adults and do harm to children. He emphasized that the repeal of the exemptions could stop adults from forcing children to adopt their religious beliefs when children cannot always make informed decisions on their own.
17. Brad McIntyre - Stated that parents make decisions for their children that they believe is best, and not the State. He believes that the repeal of faith-healing exemptions may create a slippery-slope that may lead to the loss of parental rights.

18. April Hoy - As the head of Children's Right to Live Idaho, she urges the Legislature to repeal the faith-healing exemptions in Idaho's laws. She advocated for equal application of child abuse laws, regardless of the parent's religion or practices, so that all parents might be held to the same standards in Idaho.
19. Scott Larsen - Stated his concern that by repealing the faith-healing exemptions, it may impact parent's fundamental rights. He opined that this would be a dangerous action to take. Mr. Larsen explained that it would encourage government overreach.
20. Roger Sherman - Explained that he is the Executive Director of the Idaho Children's Trust Fund. He provided some background regarding the Idaho Children's Trust Fund, and its charge. Mr. Sherman emphasized that the Trust Fund Board has been alarmed at the number of preventable child deaths as a result of religious exemptions, and supports the recommendation that the religious exemptions to the child-neglect statutes be reevaluated.
21. Andra Wilson - Described her concern that the repeal of faith-healing exemptions might encourage the state to remove the rights of parent's to use alternative methods of medicine.
22. Reverend Andrew Kukla - Explained that our country does not practice absolute freedom. He opined that our country practices protecting the individual's personal freedoms insofar as it does not inhibit the personal freedom of another individual; their right to life, liberty, and the pursuit of happiness. He asked the Legislature to consider the healthy limits of religious freedom.
23. Sara Brady - Asked that the Legislature not use her sister, 'Mariah,' as a victim of faith-healing because holistic medicine was used to treat her.
24. Reverend Sarah LaWall - Stated her belief that laws exist to protect our most vulnerable people - in this case children. She explained the history of the implementation of the faith-healing exemptions, as well as the repeal of these exemptions across the country. Reverend LaWall opined that removing the religious exemption does not interfere with religious beliefs and practices, but may cause parents to choose carefully about the path they choose.
25. Heidi Pearson - Described her daughter's positive health experiences with naturopath medicine. She stated her opposition to removing parental rights.
26. Judy Cross - Asked that, on behalf of the Interfaith Alliance of Idaho, the Legislature repeal the religious exemption law in relation to child abuse statutes protecting parents and guardians who practice medical neglect - especially when children are severely ill, injured, or dying.
27. Traci Kinsman - Identified herself as a member of the Health Freedom Idaho. She advocated for increasing parental authority regarding the medical choices they have for their children. Ms. Kinsman warned that increasing the power of the medical community to overrule a parent's choice could also bring unwanted consequences. She referenced a Johns Hopkins study that found that 250,000 Americans die each year due to medical errors.
28. Erwin Sonnenberg - Identified himself as the coroner for Ada County. He described his experience and responsibilities with regard to child deaths. He explained that certain child death cases have not been prosecuted due to the religious exemption.
29. Anna Price - Emphasized that our first amendment guarantees the right for parents to pray for their children. She questioned the restrictions that the state could potentially impose. Ms. Price also questioned whether more children die due to the faith-healing exemptions, or due to medical malpractice. She asked the Legislature to let the religious exemption stand in order to protect the rights of parents.
30. Paul Shippy - Stated his belief in faith-healing. He described his faith in the power of prayer.
31. Dan Sevy - Opined that his religious doctrine is being attacked by law. Mr. Sevy stated his belief that the free practice of religion is guaranteed in the constitution. He also emphasized the number of child deaths associated with medical malpractice.

32. Charles Kiester - Explained that he had gone to war to preserve the freedoms belonging to the people of Idaho and the United States. He stated that removing the rights of parents create a great disservice to the country.
33. Valerie Charles - Opined that the removal of the faith-healing exemption laws would open the door to restrictions, and ultimately elimination, of medical care choices for all citizens. She explained that medical errors are estimated to be the third leading cause of death in the United States.
34. Rosa Martinez - Described her personal negative experiences with vaccinations. Ms. Martinez also described her positive experience with naturopath medicine.
35. Eric Pedersen - Opined that removing the faith-healing exemption would violate the rights of parents.
36. Jeremy Nowlend - Questioned why exemptions exist for some issues, but not for others. He emphasized that rules in society exist for our common welfare.
37. Megan Ulrich - Emphasized that faith-healing practitioners hold the laws of God above all others. Ms. Ulrich questioned whether repealing the religious exemption for faith-healing practices in our criminal law would work, or if it would drive faith-healing community members deeper into seclusion to avoid harassment. She advocated for finding a solution collaboratively with our stakeholders in our communities.
38. Ashley Cates - Stated that she is against removing the faith-healing exemptions. Ms. Cates described her daughter's experience with medications prescribed by doctors.
39. Amy Ziegler - Stated her belief that there is value in homeopathic and naturopathic medicine.
40. Chas Della Silva - Compared polygamy and faith-healing beliefs by explaining that while polygamy had ended, the practitioners had retained their religious faith. He opined that the injuries to children are not being addressed. Mr. Della Silva also stated that children are afforded rights at birth.
41. Jessica Arno - Stated that citizens would like to exercise their rights to decide what healthcare they want to provide for themselves and their children.
42. Dr. Steven Baker - Voiced his desire to have the ability to select from a variety of healthcare options - whether that be traditional medicine or otherwise.
43. Elexandra Beikmann - Advocated for parental rights to make conscious decisions regarding what kind of treatment is best for their children.
44. Pro-Life - Spoke against creating more laws that could potentially suppress freedoms.
45. Slade Shippy - Questioned why the focus has not been placed on abortions, instead of faith-healing exemptions.

Co-chair Palmer stated his appreciation for the public testimony provided.

The committee adjourned at 11:56 a.m.