

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Tuesday, January 24, 2017

TIME: 9:00 A.M.

PLACE: Room EW20

MEMBERS: Chairman Wood, Vice Chairman Packer, Representatives Hixon, Perry, Vander Woude, Redman, Gibbs, Blanksma, Hanks, Kingsley, Zollinger, Chew, Rubel

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

GUESTS: Dennis Stevenson, Rules Coordinator; Francoise Cleveland, AARP-Idaho; Elke Shaw-Tulloch, DHW; Christine Hahn, Dr. Mary Jo White, and Dr. Hatzenbeuler, IDHW

Chairman Wood called the meeting to order at 9:00 a.m.

MOTION: **Rep. Rubel** made a motion to approve the minutes of the January 16, 2017, meeting. **Motion carried by voice vote.**

H 10: **Mitch Toryanski**, Legal Counsel, Bureau of Occupational Licenses, on behalf of the state board of Chiropractic physicians, presented **H 10**, to raise the fee caps and modernize language governing deposits and expenditures of fees. Clarification is also made to the active license reactivation process. The application review and interview process is deleted.

For the record, no one indicated their desire to testify.

MOTION: **Rep. Redman** made a motion to send **H 10** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Redman** will sponsor the bill on the floor.

Chairman Wood turned the gavel over to **Vice Chairman Packer**.

DOCKET NO. 24-0301-1601: **Mitch Toryanski**, Legal Counsel, Bureau of Occupational Licenses, representing the State Board of Chiropractic Physicians, presented Pending Fee Rule **Docket No. 24-0301-1601**, which contains an annual fee increase to cover increased costs from complaints, prosecutions, and investigations. Changes will also speed up the peer review process.

Dr. Mary Jo White, Chairman, Idaho State Board of Chiropractic Physicians, was invited to answer a question. The peer review committee process has well-defined training to industry standards, is a blind process, is an industry improvement tool, and has active, licensed members. The chairman writes the final summary and fraudulent determinations lead to further investigation outside of the peer review committee.

For the record, no one else indicated their desire to testify.

MOTION: **Rep. Chew** made a motion to approve **Docket No. 24-0301-1601**. **Motion carried by voice vote.**

DOCKET NO. 24-1001-1601: **Mitch Toryanski**, Legal Counsel, Bureau of Occupational Licenses, representing the State Board of Optometry, presented **Docket No. 24-1001-1601**, a Pending Fee Rule to align with 2016 statute changes, decrease the reinstatement fee from \$115 to \$35, and increase the continuing education (CE) hours from six to nine annual hours.

MOTION: **Rep. Hixon** made a motion to approve **Docket No. 24-1001-1601**.

Answering a question, **Mr. Toryanski** stated the CE increases qualifications, experience, and knowledge of level. Volunteer services could be included at a future date, if they are determined to increase the licensee's quality of service.

For the record, no one indicated their desire to testify.

VOTE ON MOTION:

Vice Chairman Packer called for a vote on the motion to approve **Docket No. 24-1001-1601. Motion carried by voice vote.**

DOCKET NO. 24-1201-1601:

Mitch Toryanski, Legal Counsel, Bureau of Occupational Licenses, representing the Board of Psychologist Examiners, presented **Docket No. 24-1201-1601**. This Pending Rule specifies licensees may receive online CE credit from the same organizations approved for in-person attendance. It establishes service extenders (psychologist helpers) can provide service only after supervisory plan board approval. Established are a service extender for only psychometrition services and telehealth rules to compliment the Telehealth Access Act. Definitions are updated for psychology services, including telepsychology in Idaho and across state lines.

An insurance company expressed concerns about one definition's interpretation and security requirements, which the board is monitoring for possible future changes. The American Association of Retired Persons (AARP) representative expressed concern regarding the need to have a written informed consent with each telepsychology patient encounter. The Board will be working with AARP over the next year to determine if Rule clarity is needed.

Vice Chairman Packer stated discussions determined it was not the Board's intent to require the consent at every meeting. The Board was comfortable to state, on the record, enforcement would not happen and clarifying changes would be presented next year. **Mr. Toryanski** agreed and added the Board has memorialized their interpretation within their meeting minutes.

Dr. Linda Hatzenbeuler, Board Member, Psychology Board, was invited to respond to a committee question. The face-to-face service extenders required supervisory provision assures all supervision is not provided using only video or telecommunication. A minimum of one hour of face-to-face supervision is required for each 20 hours of service during a calendar week, which can include individual and group formats.

Dr. Hatzenbeuler then testified **in support** of **Docket No. 24-1201-1601**, stating the telepsychology Rules are in the public's best interest. More electronic opportunities extend services, particularly in remote areas, and these Rules assure provider guidance.

MOTION:

Rep. Redman made a motion to approve **Docket No. 24-1201-1601.**

For the record, no one else indicated their desire to testify.

VOTE ON MOTION:

Vice Chairman Packer called for a vote on the motion to approve **Docket No. 24-1201-1601. Motion carried by voice vote.**

Vice Chairman Packer put the committee at ease at 9:45 a.m.

Chairman Wood called the meeting back to order at 9:54 a.m.

Dick Armstrong, Director, Department of Health and Welfare (DHW) presented information on the immunization waivers. The state is heavily involved in programs for reduced tobacco use, control of infectious diseases, decreased cardiovascular deaths, improved food safety, family planning, improved maternal and child health, and reduced vaccine-preventable diseases.

From 1900 to 2000, life expectancy has increased for women, from 48 years of age to 79 years of age, and men, from 46 years of age to 74 years of age. Globally, Japan has the highest life expectancy at 87.7 years of age. South Africa, where parasitic diseases are common, ranks lowest at 62.9 years of age. U.S. mortality rates from 1900 to 2015 indicate an infectious diseases decline and a slight noninfectious diseases increase and leveling.

Dr. Christine Hahn, Director, State Epidemiology, Division of Medical Health, DHW, was invited to continue the presentation. She said there are now twenty-three deaths reported for the current flu season. Idaho ranks among the lowest vaccination rates in the nation.

She dispelled four reasons people avoid getting the shots, emphasizing the vaccines are not live viruses. Even healthy individuals can bring the virus home to loved ones. Vaccination protects the recipient and keeps the virus from spreading, especially to those who are already weak.

Concern about vaccines causing autism began with a 1997 single white paper which has been discredited to the extent the coauthors retracted their names, the author lost his medical license, and the paper was retracted from the publishing journal. Extensive research since 1997 has found no association between vaccines and autism. Even autism advocates have stated other areas provide the cause of autism, not vaccinations.

The concept of natural immunity versus vaccine-acquired immunity still brings with it dangers that outweigh the relative benefits. For measles, there is a 1 in 500 chance of death without immunization. With the measles, mumps and rubella (MMR) vaccine the allergic reaction chances become 1 in 1,000,000.

The Idaho Immunization Program distributes vaccines to all Idaho healthcare providers immunizing children. The Centers for Disease Control contracts for the vaccine purchase, with distribution costs covered through federal funding programs and health insurers.

The immunization statute assures parental choice for non-vaccination. The schools maintain immunization records, providing conditional admission and exemptions to assist parents. Recent outbreaks in neighboring states have included mumps, meningitis, whooping cough, and flu, with attributable deaths in all age groups.

Dick Armstrong, stated he is charged with the general supervision of the promotion and protection of the life, health, and mental health of the people of Idaho. This is a balance between individual freedom and public safety for both today and future events.

Responding to committee questions, **Dr. Hahn** stated for some vaccines, such as measles, our state is already at the herd immunity threshold. The schools collect the exemption reasons and keep the information private. Any data collected by the DHW has been anonymous and used to provide information for health education.

ADJOURN:

There being no further business to come before the committee, the meeting was adjourned at 10:18 a.m.

Representative Wood
Chair

Irene Moore
Secretary