

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Tuesday, March 06, 2018

TIME: 9:00 A.M.

PLACE: Room EW20

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

**ABSENT/
EXCUSED:** Representative(s) Vander Woude

GUESTS: Nic Day, Aspen Day, Kaitlyn Crumpton, and Tina Day, Guardian Paws Service Dogs; Bill Roscoe and Frank Lee, Boise Rescue Mission; Ian Freeman, Myself; Kris Ellis, Kim Stanger, and Michael Sharp, IHCA; Marsha Bracke, Bracke & Asso.; Christine Pisani and Karen Westbrook, Id DD Council, Community NOW!; Toni Brinegar, ICDD; Tim McBride, MOPH

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

MOTION: **Vice Chairman Packer** made a motion to approve the minutes of the February 23, 28, and March 5, 2018, meetings. **Motion carried by voice vote.**

S 1271: **Kris Ellis**, Idaho Healthcare Association, presented **S 1271** to add assisted living and residential care facilities to the existing peer review statute and its records subpoena exemption.

MOTION: **Vice Chairman Packer** made a motion to send **S 1271** to the floor with a **DO PASS** recommendation.

Michael Sharp, Edgewood Assisted Living Company, testified **in support of S 1271**. This change will allow their communities to conduct patient safety investigations with protection from subpoenas.

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

VOTE ON MOTION: **Motion carried by voice vote. Rep. Redman** will sponsor the bill on the floor.

S 1296: **Ian Freeman**, Self, presented **S 1296**, legislation regarding service dogs. Statute definition changes expand and include mental disabilities to better align with the American Disabilities Act (ADA).

Tina Day, Guardian Paws Service Dogs, with her lead service dog, **Ares**, testified **in support of S 1296**. Service dogs are used for post traumatic stress disorder (PTSD) and other psychosocial disorders. The ADA was amended in 2010 to acknowledge PTSD and the de-escalation service dogs provide for its physical component.

Tim McBride, Fruitland, Veteran, Military Order of the Purple Heart, along with his service dog, **Boomer**, testified **in support of S 1296**. He explained his background, qualification for a service dog, and how Boomer helps him in a variety of situations. PTSD affects many people, not just veterans, and many organizations help supply service dogs in a variety of sizes and breeds.

MOTION: **Vice Chairman Packer** made a motion to send **S 1296** to the floor with a **DO PASS** recommendation.

Cheryl Bloom, Consortium for Idahoans with Disabilities, testified **in opposition** to **S 1296**, which needs further expansion and clarification. Additionally, there is no protection offered beyond what already exists in the ADA. More extensive legislation is being refined and will be brought next year.

Nic Day, Guardian Paws Service Dogs, testified **in support** of **S 1296**. Idaho service dogs are not treated as described in the ADA and are not allowed everywhere. He described some of his PTSD issues and how his dog changes the situation, when present.

Bill Rosco, CEO, Boise Rescue Mission, testified **in opposition** to **S 1296**. Although he fully supports the use of service dogs, the changes will impact the Mission, a dormitory housing environment where animals of any kind create a problem for guests and staff. He requested service animals be designated as stated in the ADA.

Frank Lee, Pro bono Legal Counsel, Boise Rescue Mission, testified **in opposition** to **S 1296**. Without further clarification, fines and associated court costs will occur for the Boise Rescue Mission. Answering a question, he said, although exempt, the Mission does follow the ADA.

Responding to a question, **Mr. Freeman** stated this part of the statute refers to specifically trained service dogs, not other animals, and defines the disabilities.

SUBSTITUTE MOTION:

Rep. Rubel made a substitute motion to send **S 1296** to General Orders.

AMENDED SUBSTITUTE MOTION:

Rep. Chew made an amended substitute motion to **HOLD S 1296** in committee.

ROLL CALL VOTE:

Josh Swenkins, Genesis Service Dogs, testified **in opposition** to **S 1296**. Businesses turn individuals with service dogs away because they do not know the ADA regulations. Changes would better mirror the ADA.

Roll call vote was requested. **The amended substitute motion failed by a vote of 1 AYE, 10 NAY, 1 Absent/Excused. Voting in favor** of the amended substitute motion: **Rep. Chew. Voting in opposition** to the amended substitute motion: **Reps. Wood, Packer, Perry, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Rubel. Rep. Vander Woude** was absent.

ROLL CALL VOTE:

Roll call vote was requested. **The substitute motion failed by a vote of 3 AYE, 8 NAY, 1 Absent/Excused. Voting in favor** of the substitute motion: **Reps. Wagoner, Chew, Rubel. Voting in opposition** to the substitute motion: **Reps. Wood, Packer, Perry, Redman, Blanksma, Hanks, Kingsley, Zollinger. Rep. Vander Woude** was absent.

VOTE ON MOTION:

Original motion carried by voice vote. Rep. Chew requested to be recorded as voting **NAY. Rep. Syme** will sponsor the bill on the floor.

Due to time constraints, the Community NOW! Report will be carried over to the committee meeting on Thursday, March 8, 2018.

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 10:00 a.m.

Representative Wood
Chair

Irene Moore
Secretary