

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Wednesday, January 24, 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:** None

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.

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

DOCKET NO. 16-0206-2301: **Dr. Christopher Ball**, Chief, Bureau of Laboratories, Division of Public Health, Department of Health and Welfare (DHW), presented **Docket No. 16-0206-2301**, for clinical labs not in a hospital setting. The changes included simplifying language for ease of understanding and adding definitions for waived and non-waived tests. He explained the complexity and levels for both types of tests, along with the specialized training required for non-waived testing, inspection requirements, and the Clinical Laboratory Improvement and Amendment (CLIA) regulations.

Of the 1,993 active clinical labs in the DHW registry, 73% hold a CLIA waiver certificate. Historically referenced in the hospital rules, the new general requirements for test orders and results better guide the 97% of Idaho clinical labs not located in a hospital for both waived and non-waived tests. The regulatory burden is eliminated for most labs who may not have or need an authorized provider affiliation.

MOTION: **Rep. Dixon(24)** made a motion to approve **Docket No. 16-0206-2301**. **Motion carried by voice vote.**

DOCKET NO. 16-0225-2301: **Dr. Christopher Ball**, Chief, Bureau of Laboratories, Division of Public Health, DHW, presented **Docket No. 16-0225-2301**. This rulemaking corrects fee errors for total coliform testing procedures to reflect stakeholder negotiations. The Total Coliform/E. coli, Presence/Absence test fee is increased from \$18 to \$21. The Total Coliform/E. coli, Quantitative test fee is increased from \$20 to \$33. The increases assure the state will not be in competition with commercial laboratories for these procedures and receipts will offset the test costs.

Dr. Ball, in response to questions, said they do not have the authority to raise fees without legislative approval. The increase was approved during the 2022 session.

MOTION: **Rep. Healey** made a motion to approve **Docket No. 16-0225-2301**. **Motion carried by voice vote.**

DOCKET NO. 16-0224-2301: **Brigitta Gruenberg**, Program Manager, Environmental Health, Division of Public Health, DHW, presented **Docket No. 16-0224-2301**, with changes to remove outdated requirements and provide better clarity for ease of use. Updates include the standards for cleaning up clandestine drug laboratories (CDL) and establishes the program to add and remove residential properties from the Clandestine Drug Laboratory Site Property List maintained by the DHW.

Responding to committee questions, **Ms. Gruenberg** said property owners can find information on the Division's website regarding who to contact and what to do if they suspect or discover a CDL on their property. There are thirty-nine known labs on the Division's Clandestine Drug Laboratory Site Property List. Although she has not added a lab to the list in three years, she has removed two.

MOTION: **Rep. Redman** made a motion to approve **Docket No. 16-0224-2301. Motion carried by voice vote.**

DOCKET NO. 16-0418-2301: **Frede Teske**, Program Manager, Therapeutic and Residential Programs, Division of Licensing and Certification, DHW, presented **Docket No. 16-0418-2301.** Children's Agencies and Residential Licensing was moved into its own chapter last year and submitted to the Federal Bureau of Investigation (FBI) Criminal Justice Information Law Unit for their review and approval to ensure these providers would be processed for a department fingerprint-based background check. In 2023 the FBI rejected the language as not being specific enough in identifying the actual job classes of individuals subject to a background check. This is a departure from what the FBI has approved in the past. The changes list specific job categories, instead of general terms, in order to align with the FBI requirements. There are no other substantial changes to content in this chapter.

She agreed there was a spelling error in Section 102.06 and will note it for correction.

MOTION: **Rep. Wheeler** made a motion to approve **Docket No. 16-0418-2301. 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 9:28 a.m.

Representative Erickson
Chair

Irene Moore
Secretary