

MINUTES
SENATE HEALTH & WELFARE COMMITTEE

DATE: Monday, January 29, 2024

TIME: 3:00 P.M.

PLACE: Room WW54

MEMBERS PRESENT: Chair VanOrden, Senators Lee, Harris, Bjerke, Zuiderveld, Wintrow, and Taylor

ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chair VanOrden** called the meeting of the Senate Health and Welfare Committee (Committee) to order at 3:04 p.m.

GUBERNATORIAL APPOINTMENT VOTE: **Committee Consideration of the Gubernatorial Appointment of Patrick Purdy of Boise, Idaho, to the Board of Environmental Quality, term commencing November 7, 2023 and expiring July 1, 2027.**

MOTION: **Senator Taylor** moved to send the gubernatorial appointment of Patrick Purdy to the Board of Environmental Quality to the floor with the recommendation that he be confirmed by the Senate. **Senator Bjerke** seconded the motion. The motion carried by **voice vote**.

DOCKET NO. 16-0206-2301 **Quality Assurance for Clinical Laboratories (ZBR Chapter Rewrite) - Proposed Rule. Dr. Christopher Ball**, Chief, Bureau of Laboratories, Idaho Department of Health and Welfare (DHW), Division of Public Health, stated unnecessary text was eliminated, readability improved, clear guidance provided for test ordering and results, and definitions added for waived and non-waived tests. He explained the complexity and levels for both types of tests. Non-waived testing required specialized staff training, was conducted in laboratories that were inspected, and complied with all appropriate Clinical Laboratory Improvement Amendments (or CLIA) regulations. Dr. Ball relayed the addition was needed as 97% of clinical laboratories were not in hospitals and the only reference to test orders and reports was in the Hospital rules.

MOTION: **Senator Wintrow** moved to approve **Docket No. 16-0206-2301**. **Senator Zuiderveld** seconded the motion. The motion carried by **voice vote**.

DOCKET NO. 16-0225-2301 **State Laboratory Fees - Proposed Rule (Fee Rule). Dr. Christopher Ball** explained the rules were approved during the 2022 session, but there were two fee errors that needed to be corrected. The Total Coliform/E. Coli, Presence/Absence test needed to be adjusted from \$18 to \$21 and the Total Coliform/E. Coli, Quantitative test needed to be adjusted from \$20 to \$33. He stated that correcting these errors resulted in an anticipated laboratory receipt increase of \$12,100 based upon the total coliform testing volume. This increase in receipts would help offset higher material and operating costs associated with this testing.

MOTION: **Senator Wintrow** moved to approve **Docket No. 16-0225-2300**. **Senator Taylor** seconded the motion. The motion carried by **voice vote**.

**DOCKET NO.
16-0322-2301**

Residential Assisted Living Facilities - Proposed Rule. Tom Moss, Program Supervisor, Residential Assisted Living Facilities, Division of Licensing and Certification, stated the rule changes modified the licensing requirements for assisted living providers, without compromise to resident outcomes, health, or safety. Previous licensing enforcement action was removed and restrictions only applied if they currently operated a facility under enforcement actions. He relayed the ownership equity reporting requirements were changed from 10% to 20%. The work age for direct care staff was changed from 18 to 17 due to the shortage in workforce and that those 16 years of age were already allowed to work with the appropriate certifications. **Mr. Moss** relayed the term "will revoke" was changed to "may revoke" to allow for a temporary manager, which gave a facility time to remedy compliance concerns with oversight by the department.

DISCUSSION:

Chair VanOrden expressed her concern with the lower age limit. **Mr. Moss** explained that a background check and parental consent were already necessary for a Certified Nursing Assistant. Lowering the age assisted with the staffing shortage for direct care staff.

MOTION:

Senator Taylor moved to approve **Docket No. 16-0322-2300**. **Senator Bjerke** seconded the motion. The motion carried by **voice vote**.

**DOCKET NO.
16-0601-2301**

Child and Family Services - Temporary and Proposed Rule. Andie Blackwood, LMSW, Bureau Chief, DHW, Division of Family and Community Services, stated the rules required licensed social workers, clinicians, and service providers to be designated as the "responsible party" by the Department. The responsible party was the staff person designated for case planning and case management services for children and families who were receiving services. The proposed changes allowed non-licensed workers with a background in human services as well as a bachelor's degree in a human services field to fill the positions that once required a licensed social worker. The definition of "responsible party" was being expanded to not rely solely on a licensed social worker to fulfill that role to ensure the safety of children in the child welfare system.

DISCUSSION:

In response to Committee questions, **Ms. Blackwood**, explained that the case-carrying staff member would have face to face contact with the child at least monthly. The visitation to children in a group home was change from every 60 days to every 30 days. She stated the definition of responsible party was eliminated and was now referred to as case-carrying personnel. **Ms. Blackwood** explained the changes were made to allow for non social worker licensed staff that had a human services degree to manage cases. Examples of human service degrees included those with 4 year degrees in psychology, criminal justice, education, or sociology. She added that all case carrying personnel had the same or even enhanced training to perform the job.

MOTION:

Senator Harris moved that **Docket No. 16-0601-2301** be held in Committee subject to the call of the Chair. **Senator Wintrow** seconded the motion. The motion carried by **voice vote**.

ADJOURNED:

There being no further business at this time, **Chair VanOrden** adjourned the meeting at 3:39 p.m.

Senator VanOrden
Chair

Lena Amoah
Secretary