

AGENDA
HOUSE HEALTH & WELFARE COMMITTEE
9:30 A.M.
Room EW20
Wednesday, January 10, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
	Organizational Meeting	

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude
Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew (Wilson)
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
Room: EW14
Phone: 332-1138
Email: hhel@house.idaho.gov

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Wednesday, January 10, 2024

TIME: 9:30 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:** Representative(s) Blanksma, Kingsley

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 9:30 a.m.

Chairman Vander Woude welcomed **Rep. Marjorie Wilson**, who is substituting for **Rep. Chew**. He then introduced **Emma Wittman**, the committee's page, and welcomed her to the session.

Reps. Roberts and **Dixon(24)** agreed to be the proofreaders for the committee minutes this session.

Chairman Vander Woude noted the leadership changes in the Department of Health and Welfare (DHW). He indicated this session the committee will also be reviewing the many DHW grants.

Vice Chairman Erickson said the Administrative Rules review will encompass approximately nine meetings, beginning January 15, 2024. The DHW budget review will again utilize portion research assignments for committee members.

Chairman Vander Woude added the research prior to the budget presentation will allow a really good look at the dollar amounts being requested.

ADJOURN: There being no further business to come before the committee the meeting adjourned at 9:43 a.m.

Representative Vander Woude
Chair

Irene Moore
Secretary

AGENDA
HOUSE HEALTH & WELFARE COMMITTEE
9:00 A.M.
Room EW20
Monday, January 15, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
RS 30836	Counseling Compact	Rep. Dixon (24)
RS 30865	Health Districts	Rep. Gallagher

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude
Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew (Wilson)
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
Room: EW14
Phone: 332-1138
Email: hhel@house.idaho.gov

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Monday, January 15, 2024

TIME: 9:00 A.M.

PLACE: Room EW20

MEMBERS: Chairman Vander Woude, Vice Chairman Erickson, Representatives Blanksma, Kingsley, Mitchell (Schoenberg), Dixon(24), Gallagher, Healey, Redman, Wheeler, Chew (Wilson), Rubel, Roberts

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

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. He welcomed **Rep. Schoenberg** who is substituting for **Rep. Mitchell**.

MOTION: **Rep. Roberts** made a motion to approve the minutes of the January 10, 2024, meeting. **Motion carried by voice vote.**

RS 30836: **Rep. Chenele Dixon(24)**, District 24, presented **RS 30836**, which is proposed legislation for Idaho's membership in an interstate counseling compact of seventeen states. The compact allows counselors to practice across state lines through in-person and telehealth via receipt of a privilege-to-practice. The compact membership includes a licensure database. This will increase access for rural areas and military family members who are also counselors.

MOTION: **Rep. Rubel** made a motion to introduce **RS 30836**. **Motion carried by voice vote.**

RS 30865: **Rep. Jacyn Gallagher**, District 9, presented **RS 30865** which changes the health district boards' scope to administer and enforce only necessary and reasonable health laws and regulations.

MOTION: **Rep. Redman** made a motion to introduce **RS 30865**.

Answering a committee question, **Rep. Gallagher** stated the change limits the boards' direction of the public and better defines the boards' focus.

**VOTE ON
MOTION:** **Chairman Vander Woude** called for a vote on the motion to introduce **RS 30865**. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee the meeting adjourned at 9:11 a.m.

Representative Vander Woude
Chair

Irene Moore
Secretary

AGENDA
HOUSE HEALTH & WELFARE COMMITTEE
9:00 A.M.
Room EW20
Tuesday, January 16, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
RS 30879	Medicaid- State Plan and Waivers	Rep. Blanksma
RS 30897	Immunization Registry	Rep. Blanksma
RS 30898	Board of Medicine - Maternal Mortality	Rep. Blanksma
	<u>Department of Health and Welfare</u>	
16-0603-2301	Daycare Licensing (New Chapter, Fee Rule) - Proposed Rule	Aubrie Hunt
16-0602-2301	Foster Care Licensing (ZBR Chapter Rewrite) - Proposed Rule	Julie Sevcik
16-0601-2301	Child and Family Services - Temporary and Proposed Rule	Andie Blackwood
16-0719-2301	Certification of Peer Support Specialists and Family Support Partners (ZBR Chapter Rewrite) - Proposed Rule	Treena Clark
16-0725-2301	Prevention of Minors' Access to Tobacco or Electronic Smoking Device Products (ZBR Chapter Rewrite) - Proposed Rule	Treena Clark
16-0739-2301	Designated Examiners and Dispositioners - Proposed Rule	Treena Clark

***Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)***

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

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Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew (Wilson)
Rep Rubel
Rep Roberts

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MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Tuesday, January 16, 2024

TIME: 9:00 A.M.

PLACE: Room EW20

MEMBERS: Chairman Vander Woude, Vice Chairman Erickson, Representatives Blanksma, Kingsley, Mitchell (Schoenberg), Dixon(24), Gallagher, Healey, Redman, Wheeler, Chew (Wilson), Rubel, Roberts

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

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.

RS 30879: **Rep. Blanksma**, District 8, presented **RS 30879** to require legislative approval of the Department of Health and Welfare waivers and state plan amendments. It does not affect pre-existing state plan amendments or waiver programs.

MOTION: **Rep. Dixon(24)** made a motion to introduce **RS 30879**. **Motion carried by voice vote.**

RS 30897: **Rep. Blanksma**, District 8, presented **RS 30897** to change the current opt-out immunization registry to an opt-in system.

MOTION: **Rep. Healey** made a motion to introduce **RS 30897**. **Motion carried by voice vote.**

RS 30898: **Rep. Blanksma**, District 8, presented **RS 30898** to authorize the Board of Medicine to collect maternal mortality data and present an annual summary to the legislature.

MOTION: **Rep. Dixon(24)** made a motion to introduce **RS 30898**. **Motion carried by voice vote.**

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

DOCKET NO. 16-0603-2301: **Aubrie Hunt**, Program Manager, Idaho Child Care Program (ICCP) and Temporary Assistance for Needy Families (TANF), Department of Health and Welfare (DHW), presented **Docket No. 16-0603-2301**. In response to the legislature's 2023 request, daycare facility licensing has been moved into its own IDAPA chapter.

The new chapter incorporates existing standards and aligns with federal and other state statutes. Updates include safe sleep practices, annual inspections, and record keeping requirements. There are no changes to licensing fees.

MOTION: **Rep. Redman** made motion to approve **Docket No. 16-0603-2301**. **Motion carried by voice vote.**

DOCKET NO. 16-0602-2301: **Julie Sevcik**, Program Manager, Policy and Program Development, DHW, presented **Docket No. 16-0602-2301** for foster care licensing. The updates remove references to daycare facility licensing, which now has its own chapter. A new Section meets the Federal Bureau of Investigation (FBI) requirements for Purpose Code X background checks for relatives and fictive kin who are identified as an emergency placement for children entering foster care. Adding this Section continues Idaho's authority which has been given temporarily and would expire on October 1, 2024. Without this ability a child could not be immediately placed with a safe individual the child knows.

During question and answer the committee members shared strong concerns regarding the vagueness of the terms "physically and emotionally suited," "be of good character," "functional literacy," and they requested clearer definitions.

Answering questions **Ms. Sevcik** explained use of the FBI Project Code X requires promulgation into state rules or law. Idaho's temporary use of Project Code X will end October 1, 2024, without such inclusion. She said concerns by a social worker regarding a home situation are discussed in conjunction with several home visits and phone calls with the family. A family's religious affiliation is considered only to assure the child can attend the church of their choice. No questions are asked about personal or political beliefs. There is an appeal process.

MOTION: **Rep. Rubel** made a motion to approve **Docket No. 16-0602-2301**.

SUBSTITUTE MOTION: **Rep. Vander Woude** made a substitute motion to **HOLD Docket No. 16-0602-2301** in committee for further review, subject to Call of the Chair.

Answering a further question, **Ms. Sevcik** agreed a temporary rule could be promulgated to address the Project Code X issue, if the Rule was not approved.

VOTE ON SUBSTITUTE MOTION: **Chairman Erickson** called for a vote on the substitute motion to **HOLD Docket No. 16-0602-2301** in committee for further review, subject to Call of the Chair. **Motion carried by voice vote.**

DOCKET NO. 16-0601-2301: **Andie Blackwood**, Bureau Chief, Child Welfare Program, DHW, presented **Docket No. 16-0601-2301** with changes to allow non-licensed workers with a background in human services as well as a bachelor's degree in a human services field to fill positions for case planning and case management services for children and families due to concerns of abuse, neglect, or abandonment. This expands the "responsible party" definition to provide flexibility and address staffing issues while ensuring the safety of children in the child welfare system.

MOTION: **Rep. Healey** made a motion to approve **Docket No. 16-0601-2301**. **Motion carried by voice vote.**

DOCKET NO. 16-0719-2301: **Treena Clark**, Policy Program Manager, Division of Behavioral Health, DHW, presented **Docket No. 16-0719-2301** regarding the criteria and procedures for peer support specialists or family support partners. Changes provide clarification and remove redundant, outdated, and inefficient language. National codes of ethics are included by reference. A new Section is added to address the hardship some peers face in obtaining the certification required supervision hours. Other changes reduce burdensome requirements for reciprocity and streamline the certification process. The shared experience of a peer specialist or family support partner provides a close connection and hope.

MOTION: **Rep. Wheeler** made a motion to approve **Docket No. 16-0719-2301**. **Motion carried by voice vote.**

DOCKET NO. 16-0725-2301: **Treena Clark**, Policy Program Manager, Division of Behavioral Health, DHW, presented **Docket No. 16-0725-2301** for retail permits to sell tobacco products and electronic smoking devices. The changes remove redundant language and align with the Prevention of Minors Access to Tobacco Products and Electronic Smoking Devices Act, including increasing the legal age. Other changes reduce the regulatory training program burden on retailers.

MOTION: **Rep. Healey** made a motion to approve **Docket No. 16-0725-2301**. **Motion carried by voice vote.**

DOCKET NO. 16-0739-2301: **Treena Clark**, Policy Program Manager, Division of Behavioral Health, DHW, presented **Docket No. 16-0739-2301**. The changes align with those made to the Mental Health Act in 2022 by expanding the designated examiners requirements to include the qualifications for a senior designated examiner. The senior designated examiner has been added to all relevant sections. The "Regional Program Manager" has been changed to "HUB Manager" to reflect current practice.

MOTION: **Rep. Healey** made a motion to approve **Docket No. 16-0739-2301**. **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 10:06 a.m.

Representative Erickson
Chair

Irene Moore
Secretary

AGENDA
HOUSE HEALTH & WELFARE COMMITTEE
9:00 A.M.
Room EW20
Wednesday, January 17, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
	<u>Department of Health and Welfare</u>	
16-0309-2301	Medicaid Basic Plan Benefits - Temporary and Proposed Rule	William Deseron
16-0310-2101	Medicaid Enhanced Plan Benefits - Temporary and Proposed Rule	William Deseron
16-0313-2101	Consumer-Directed Services - Temporary and Proposed Rule	William Deseron
16-0318-2301	Medicaid Cost-Sharing (ZBR Chapter Rewrite, Fee Rule) - Proposed Rule	William Deseron

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

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Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew (Wilson)
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
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Phone: 332-1138
Email: hhel@house.idaho.gov

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Wednesday, January 17, 2024

TIME: 9:00 A.M.

PLACE: Room EW20

MEMBERS: Chairman Vander Woude, Vice Chairman Erickson, Representatives Blanksma, Kingsley, Mitchell (Schoenberg), Dixon(24), Gallagher, Healey, Redman, Wheeler, Chew (Wilson), Rubel, Roberts

**ABSENT/
EXCUSED:** Representative(s) Blanksma, Kingsley

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. 16-0309-2301: **William Deseron**, Program Manager, Division of Medicaid, Policy and Innovation, Department of Health and Welfare (DHW), presented **Docket No. 16-0309-2301**, Medicaid Basic Plan benefits. The changes decrease regulatory burdens, make technical corrections, remove language related to the end of the public health emergency and return to standard operations, and align the Idaho Behavioral Health Plan with the Medicaid State Plan.

Updates also include the 2023 legislative statute and rule changes for bridge year physicians, the Medical Consent and Natural Death Act, criminal abortions, international medical graduates, and criminal history and background checks. Additional simplified language resulted in no meaning changes.

MOTION: **Rep. Redman** made a motion to approve **Docket No. 16-0309-2301**. **Motion carried by voice vote.**

DOCKET NO. 16-0310-2101: **William Deseron**, Program Manager, Division of Medicaid, Policy and Innovation, DHW, presented **Docket No. 16-0310-2101**, Medicaid Enhanced Plan benefits. The changes decrease regulatory burdens, make technical corrections, remove language related to the end of the public health emergency and return to standard operations, meet requirements of the KW Settlement Agreement, allow parents and spouses to provide personal care services, limit the number of residents in residential habilitation, adjust the number of hours allowed for Developmental Disability (DD) services, align with necessary DD waiver operations, require background checks for non-medical transportation, and align with criminal history and background checks statute updates. Language was simplified with no changes to meaning.

During conducted public hearings one comment was received regarding home delivered meals. There was no further pursuit on the comment due to concerns regarding Idaho businesses facing additional competition from other states.

Responding to questions, **Mr. Deseron** stated non-medical transportation covers trips outside of medical appointments. Drivers can be an agency or family member being paid for that service. Uber and Lyft are not a part of this service.

Juliet Charron, Administrator, DHW, was invited to answer further questions. She said the Basic Medicaid Plan serves specific individuals with general benefits for physical health. The Enhanced Plan is for individuals with DDs and higher levels of need. It includes benefits and services to allow them to live in a community home setting. Once an individual is eligible for the basic plan an application can be made for the enhanced program. Background checks for providers are different than those within the foster care program.

Miren Unsworth, Deputy Director, DHW, clarified the Code X background check is only used for foster care immediate placement. Medicaid plan providers utilize the state Background Check Program through the DHW.

MOTION: **Rep. Redman** made a motion to approve **Docket No. 16-0310-2101**. **Motion carried by voice vote.**

DOCKET NO. 16-0313-2101: **William Deseron**, Program Manager, Division of Medicaid, Policy and Innovation, DHW, presented **Docket No. 16-0313-2101**, Consumer-Directed Services. The changes decrease regulatory burdens, make technical corrections, remove language related to the end of the public health emergency and return to standard operations, and align with federal regulations for conflict of interest. Language was simplified with no changes to meaning.

MOTION: **Rep. Roberts** made a motion to approve **Docket No. 16-0313-2101**. **Motion carried by voice vote.**

DOCKET NO. 16-0318-2301: **William Deseron**, Program Manager, Division of Medicaid, Policy and Innovation, DHW, presented **Docket No. 16-0318-2301**, for cost sharing. Changes improve and simplify language with no change to meaning. Specific programs addressed were the State Children's Health Insurance Program (CHIP), Home and Community Based Programs, Home Care for Certain Disabled Children (Katie Beckett), Youth Empowerment Services (YES), and Workers with Disabilities.

Jennifer Pinkerton, Policy Analyst, Division of Medicaid, DHW, was invited to answer a question. She explained the income verification utilizes interfaces with Social Security, the Department of Labor, the tax commissions, and employers.

Mr. Deseron, in answer to a question, said families can request a redetermination anytime their household income changes. **Ms. Charron** clarified premiums vary based on the family's program and household income requirements. Regardless of the program or services, co-pays are set at \$3.65. She also stated CHIP offers a premium grace period and exemptions for family hardships. Federal and state regulations do not allow removal of a family from any program due to failure to pay premiums.

MOTION: **Rep. Dixon(24)** made a motion to approve **Docket No. 16-0318-2301**. **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 9:34 a.m.

Representative Erickson
Chair

Irene Moore
Secretary

AGENDA
HOUSE HEALTH & WELFARE COMMITTEE
9:00 A.M.
Room EW20
Thursday, January 18, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
	Idaho Academy of Nutrition and Dietetics	Tim Olson, Pinnacle Group Erin Green, President Idaho Academy of Nutrition and Dietetics

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude
Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew (Wilson)
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
Room: EW14
Phone: 332-1138
Email: hhel@house.idaho.gov

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Thursday, January 18, 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:** Representative(s) Blanksma
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 9:01 a.m.

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

Tim Olson, Pinnacle Group, representing the Academy of Nutrition and Dietetics, appeared before the committee and introduced **Erin Green**, President, Idaho Academy of Nutrition and Dietetics.

Ms. Green gave an historical overview of the American Dietetic Association, established in 1917, and the Idaho Academy of Nutrition and Dietetics, which began in 1948. This legacy of founding nutritionists plays a vital role today in enhancing the health of Idahoans via 800 nutritionists and dieticians.

The academy dieticians, now at the forefront of Idahoan healthcare, are excited to be aligning with the Allied Health Board under the Board of Medicine. She urged the legislature to assure no Idahoan goes hungry and continue medical nutrition availability.

In response to committee questions, **Ms. Green** shared her concerns regarding the pandemic's repercussive challenges for school food budgets and meals. Although federal regulations attempt to optimize the students' nutrition, it is only nutrition if the food is eaten.

There is research supporting the economic and nutritional benefits of locally-sourced food. Nutritionists and dieticians encourage fresh food when possible. Sometimes sourcing additional food fills the community nutritional gaps.

Regarding any food source linked behavioral and mental health studies, **Ms. Green** said children who are fed will learn better, be more focused, and have a better mood. She described the first nutritional step to provide calories for energy. Many of her colleagues who are better versed in the complex link between food and health would be glad to share with the committee. Meeting nutritional gaps is a huge challenge. The schools, at all levels, lack student nutritional and dietetic education.

She assured the committee both the Academy of Nutritionists and Dietetics and the American Dietetic Association are all-foods-fit organizations. They successfully work with a wide variety of dietary and sustainable eating patterns.

There is no specific nutritional definition for the term "plant based." **Ms. Green** emphasized canned, frozen, or dried fruits and vegetables offer a variety of important nutrition while providing accessibility and eliminating food waste.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 9:27 a.m.

Representative Erickson
Chair

Irene Moore
Secretary

AGENDA
HOUSE HEALTH & WELFARE COMMITTEE
9:00 A.M.
Room EW20
Monday, January 22, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
RS 30956	Physicians and Physician Assistants Licensure	Rep. Redman
RS 30959	Medicaid Eligibility	Rep. Redman
	<u>Division of Occupational and Professional Licenses</u>	
24-3301-2301	Rules of the Board of Medicine for the Licensure to Practice Medicine and Osteopathic Medicine in Idaho - Proposed Rule	Nicki Chopski
24-3601-2301	Rules of the Idaho State Board of Pharmacy - Proposed Rule	Nicki Chopski
24-4001-2301	Rules for the Board of Naturopathic Health Care (New Chapter, Fee Rule) - Proposed Rule	Nicki Chopski
24-3101-2301	Rules of the Idaho State Board of Dentistry (ZBR Chapter Rewrite, Fee Rule) - Proposed Rule	Stephanie Lotridge

***Public Testimony Will Be Taken by Registering Through the Following Link:
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Vice Chairman Erickson
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Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew (Wilson)
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
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MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

- DATE:** Monday, January 22, 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:** Representative(s) Blanksma
- 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.
- MOTION:** **Rep. Dixon(24)** made a motion to approve the minutes of the January 15 and 16, 2024, meetings. **Motion carried by voice vote.**
- RS 30956:** **Rep. Jordan Redman**, District 3, presented **RS 30956** to expand the bridge physician licensure program and relieve the bottleneck of physicians getting into Idaho.
- MOTION:** **Rep. Gallagher** made a motion to introduce **RS 30956**. **Motion carried by voice vote.**
- RS 30959:** **Rep. Jordan Redman**, District 3, presented **RS 30959**, proposed legislation to require several program integrity and cost-saving measures be implemented in Medicaid. These measures would be a condition for the continued expansion of eligibility to able-bodied adults to assure Medicaid is serving those truly in need.
- Answering a question, **Rep. Redman** stated the enrollment would be prioritized on a first-in first-out basis for the expansion population only.
- MOTION:** **Rep. Healey** made a motion to introduce **RS 30959**. **Motion carried by voice vote.**
- Chairman Vander Woude** turned the gavel over to **Vice Chairman Erickson**.
- DOCKET NO.
24-3301-2301:** **Nicki Chopski**, Health Professions Bureau Chief, Division of Occupational and Professional Licenses (DOPL), Executive Officer, Board of Medicine, presented **Docket No. 24-3301-2301** to address legislative changes made in 2023 which resulted in the removal of the registration requirement for supervising physicians and the addition of a temporary registration for certain experienced international medical graduates. The fee table is simplified with no new fees.
- MOTION:** **Rep. Healey** made a motion to approve **Docket No. 24-3301-2301**. **Motion carried by voice vote.**
- DOCKET NO.
24-3601-2301:** **Nicki Chopski**, Health Professions Bureau Chief, DOPL, Executive Officer, Boards of Medicine, Nursing, and Pharmacy, presented **Docket No. 24-3601-2301**, for the Board of Pharmacy. The proposed rule change allows delegation of compounded drug verification to appropriate support personnel.
- MOTION:** **Rep. Redman** made a motion to approve **Docket No. 24-3601-2301**. **Motion carried by voice vote.**

DOCKET NO. 24-4001-2301: **Nicki Chopski**, Health Professions Bureau Chief, DOPL, representing the Board of Naturopathic Health Care, presented **Docket No. 24-4001-2301**, a new fee chapter resulting from 2022 legislation for the creation of the Naturopathic Health Care Board. This chapter adds legal authority and scope. The new fee table lists initial and annual renewal fees for licensure and registration. It is anticipated the fees will maintain the board in a stable financial position.

Dr. Brian Barry, President, Naturopathic Physicians Association of Idaho (NPAI), testified **in support** of **Docket No. 24-4001-2301**. He thanked everyone who promulgated the rules and asked for the committee's support.

MOTION: **Rep. Healey** made a motion to approve **Docket No. 24-4001-2301**. **Motion carried by voice vote.**

DOCKET NO. 24-3101-2301: **Stephanie Lotridge**, Program Manager, Licensing and Registration, Health Professions Bureau, DOPL, presented **Docket No. 24-3101-2301**, on behalf of the Board of Dentistry. The proposed changes reflect a comprehensive review, with public collaboration, to streamline or simplify the rule language for better understanding. The updates comply with governing statute and Executive Order 2020-01.

MOTION: **Rep. Wheeler** made a motion to approve **Docket No. 24-3101-2301**.

Answering a committee question, **Ms. Lotridge** verified the final copy numbering changes remain sequential. The changes allow the dentist to select the type of supervision best suited for the individual hygienist.

VOTE ON MOTION: **Chairman Erickson** called for a vote on the motion to approve **Docket No. 24-3101-2301**. **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 9:33 a.m.

Representative Erickson
Chair

Irene Moore
Secretary

AMENDED AGENDA #1
HOUSE HEALTH & WELFARE COMMITTEE
9:00 A.M.
Room EW20
Tuesday, January 23, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
RS 30989	Maternity Mortality Review Committee <u>Division of Occupational and Professional Licences</u>	Rep. Healey
24-0601-2301	Rules for Occupational Therapists and Occupational Therapy Assistants (ZBR Chapter Rewrite, Fee Rule) - Proposed Rule	Katie Stuart
24-1101-2301	Rules of the State Board of Podiatry (ZBR Chapter Rewrite, Fee Rule) - Proposed Rule	Katie Stuart
24-1301-2301	Rules for the Physical Therapy Licensure Board (ZBR Chapter Rewrite, Fee Rule) - Proposed Rule	Katie Stuart
24-1601-2301	Rules of the State Board of Dentistry (ZBR Chapter Rewrite, Fee Rule) - Proposed Rule	Katie Stuart
24-1401-2301	Rules of the State Board of Social Work Examiners (ZBR Chapter Rewrite, Fee Rule) - Proposed Rule	John Price
24-1501-2301	Rules for the Idaho Board of Professional Counselors and Marriage and Family Therapists (ZBR Chapter Rewrite, Fee Rule) - Proposed Rule	John Price
24-2701-2301	Rules of the Idaho State Board of Massage Therapy (ZBR Chapter Rewrite, Fee Rule) - Proposed Rule	John Price

Public Testimony Will Be Taken by Registering Through the Following Link:
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If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude	Rep Healey
Vice Chairman Erickson	Rep Redman
Rep Blanksma	Rep Wheeler
Rep Kingsley	Rep Chew (Wilson)
Rep Mitchell	Rep Rubel
Rep Dixon (24)	Rep Roberts
Rep Gallagher	

COMMITTEE SECRETARY

Irene Moore
Room: EW14
Phone: 332-1138
Email: hhel@house.idaho.gov

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Tuesday, January 23, 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:** Representative(s) Blanksma

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.

MOTION: **Rep. Roberts** made a motion to approve the minutes of the January 17 and 18, 2024, meetings. **Motion carried by voice vote.**

RS 30989: **Rep. Dori Healey**, District 15, presented **RS 30989** to establish a Maternity Mortality Review Committee to collect and review data.

MOTION: **Rep. Rubel** made a motion to introduce **RS 30989**. **Motion carried by voice vote.**

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

**DOCKET NO.
24-0601-2301:** **Katie Stuart**, Bureau Chief, Administration Bureau, Division of Occupational and Professional Licenses (DOPL), presented **Docket No. 24-0601-2301** for the Board of Occupational Therapists. The chapters have been realigned for consistency with other boards. Duplicative and inactive language or procedures have been removed. No fees were added.

Answering a question, **Ms. Stuart** said germane continuing education (CE) classes allow the licensee to select those best matching their actual work.

MOTION: **Rep. Healey** made a motion to approve **Docket No. 24-0601-2301**.

Ms. Stuart explained the deleted definitions either exist in statute or are incorporated elsewhere in the Rule.

Lisa Hong, Occupational Therapist, Advocacy Chair, Idaho Occupational Therapists Association, testified **in support of Docket No. 24-0601-2301**, stating the association was included and involved in the rules process.

**VOTE ON
MOTION:** **Chairman Erickson** called for a vote on the motion to approve **Docket No. 24-0601-2301**. **Motion carried by voice vote.**

**DOCKET NO.
24-1101-2301:** **Katie Stuart**, Bureau Chief, Administration Bureau, DOPL, presented **Docket No. 24-1101-2301** on behalf of the Board of Podiatry. The changes update the Board's legal authority, standards of ethical practice, definitions, and remove duplicative or outdated procedures and statuses. The new licensure section allows applicants to select germane CE classes. There are no fee changes.

MOTION: **Rep. Redman** made a motion to approve **Docket No. 24-1101-2301**. **Motion carried by voice vote.**

DOCKET NO. 24-1301-2301: **Katie Stuart**, Bureau Chief, Administration Bureau, DOPL, on behalf of the Physical Therapists Licensure Board presented **Docket No. 24-1301-2301**. The rule changes update the Board's legal authority, incorporate federal codes of ethics, remove duplicated definitions, provide clarity, and remove unneeded certification. There are no fee changes.

MOTION: **Rep. Healey** made a motion to approve **Docket No. 24-1301-2301**. **Motion carried by voice vote.**

DOCKET NO. 24-1601-2301: **Katie Stuart**, Bureau Chief, Administration Bureau, DOPL, on behalf of the State Board of Dentistry, presented **Docket No. 24-1601-2301**. The changes remove outdated or duplicative sections and definitions. An inactive fee was removed but no fees were added. The licensees can select the CE classes which are germane to their profession. Other changes better align with the Board's authority.

The disciplinary sections have been updated similar to those for other boards. **Ms. Stuart** noted this board does not typically see any disciplinary cases. Because the inspection ability is in statute, it was not needed in the Rules.

MOTION: **Rep. Wheeler** made a motion to approve **Docket No. 24-1601-2301**.

A committee member expressed concern regarding the Zero Based Regulations paring down of rules is not providing enough sideboards or definitions, leaving areas of vagueness which will require future clarification.

VOTE ON MOTION: **Chairman Erickson** called for a vote on the motion to approve **Docket No. 24-1601-2301**. **Motion carried by voice vote.**

DOCKET NO. 24-1401-2301: **John Price**, Bureau Chief, Occupational Licenses Bureau, DOPL, on behalf of the Board of Social Work Examiners presented **Docket No. 24-1401-2301**. Removals and deletions include definitions and unnecessary or duplicative language. Some sections were renamed and moved. Current independent licenses will be converted to the full license equivalent. A new "Supervisor" definition was added. Examination fee information was removed because it is not controlled or collected by the board. Civil fine costs and fees were removed. No other fees were changed. CE hours were reduced to 30 hours every two years with two hours in ethics.

The Code of Professional Conduct was reworked and moved to Practice Standards. Provisions for bartering were removed. Provisions for romantic relations was separated into two rules for clarity, with no change to the time frame for friends or family of former clients. The time frame for former clients was changed to ten years following termination of a social worker's services. Dual relationships was changed to allow for social workers not knowing all of their clients' close personal relations.

Responding to concerns expressed by the committee, **Mr. Price** explained the previously listed types of relationship wording was confusing. The test administering national association collects the fees. The number of ethic disciplinary cases led to the increased CE ethics class time. Rules with no basis in statute were removed. There is no specific reference in statute for discrimination based on gender identity or sexual orientation.

MOTION: **Rep. Roberts** made a motion to approve **Docket No. 24-1401-2301**.

Rep. Wilson declared Rule 80 stating a possible conflict of interest and said she would be voting on the motion.

VOTE ON MOTION: **Chairman Erickson** called for a vote on the motion to approve **Docket No. 24-1401-2301**. **Motion carried by voice vote.** **Reps. Vander Woude, Gallagher,** and **Kingsley** requested they be recorded as voting **NAY**.

DOCKET NO. 24-1501-2301: **John Price**, Bureau Chief, Occupational Licenses Bureau, DOPL, on behalf of the Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists presented **Docket No. 24-1501-2301**.

Updates include the board's legal authority, reference to the national code of ethics, and combine licensure requirements for each field into one rule. Definitions or requirements not in statute were removed. Additional definitions for "individual" and "group" were added. Sections were renamed with additional information moved into them for simplification. Fees for senior license, inactive license, and inactive-to-active licenses were removed. An existing \$25 examination and re-examination fee was moved into the table. The CE hourly requirements were reduced to 12 total hours within the prior 24 months preceding renewal, with six hours in ethics and six hours in suicide assessment or intervention.

Mr. Price explained the unchanged post-graduate supervised hours have been moved to the Licensure section. The Board, after reviewing other states, determined there was no scientific evidence regarding the direct impact of lowering CE hours. However, they did specify CE classes regarding common Idaho issues. Any discrimination language would be found in their code of ethics, which has a link on their website.

MOTION: **Rep. Healey** made a motion to approve **Docket No. 24-1501-2301**.

During discussion committee members mentioned the need for more suicide training hours, the possible lack of clarity when referencing outside sources, the Board's ability to understand the needs of their profession, and the Zero Based Regulation simplification result of vagueness which is left open to interpretation.

VOTE ON MOTION: **Chairman Erickson** called for a vote on the motion to approve **Docket No. 24-1501-2301**.

ROLL CALL VOTE: **Chairman Erickson** stated he was in doubt regarding the voice vote and called for a roll call vote on the motion. **Motion carried by a vote of 7 AYE, 5 NAY and 1 Absent/Excused. Voting in favor of the motion: Reps. Erickson, Dixon(24), Healey, Wheeler, Wilson, Rubel, Roberts. Voting in opposition to the motion: Reps. Kingsley, Mitchell, Gallagher, Redman, Vander Woude. Rep. Blanksma was absent/excused.**

DOCKET NO. 24-2701-2301: **John Price**, Bureau Chief, Occupational Licenses Bureau, DOPL, on behalf of the State Board of Massage Therapy presented **Docket No. 24-2701-2301**. Changes include reference to part of the national certification code of ethics, deleting the definitions section, incorporating a simplified application section into the general licensure section, renaming sections, and removing duplicative sections. Temporary license is now covered under the provisional permit section. All CE references were removed.

MOTION: **Rep. Redman** made a motion to approve **Docket No. 24-2701-2301. Motion carried by voice vote. Rep. Gallagher** requested she be recorded as voting **NAY**.

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 10:20 a.m.

Representative Erickson
Chair

Irene Moore
Secretary

AGENDA
HOUSE HEALTH & WELFARE COMMITTEE
9:00 A.M.
Room EW20
Wednesday, January 24, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
	<u>Department of Health and Welfare</u>	
16-0206-2301	Quality Assurance for Clinical Laboratories (ZBR Chapter Rewrite) - Proposed Rule	Dr. Christopher Ball
16-0225-2301	State Laboratory Fees - Proposed Rule (Fee Rule)	Dr. Christopher Ball
16-0224-2301	Clandestine Drug Laboratory Cleanup (ZBR Chapter Rewrite) - Proposed Rule	Brigitta Gruenberg
16-0418-2301	Children's Agencies and Residential Licensing - Temporary and Proposed Rule	Frede Teske

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude
Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew (Wilson)
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

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Email: hhel@house.idaho.gov

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

AMENDED AGENDA #2
HOUSE HEALTH & WELFARE COMMITTEE
9:00 A.M.
Room EW20
Thursday, January 25, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
	<u>Department of Health and Welfare</u>	
16-0302-2301	Skilled Nursing Facilities (ZBR Chapter Rewrite) - Proposed Rule	Nate Elkins
16-0314-2301	Hospitals - Adoption of Temporary Rule	Nate Elkins
16-0322-2301	Residential Assisted Living Facilities - Proposed Rule	Tom Moss
	Your Health Idaho - Annual Report	Pat Kelly

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude
Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew (Wilson)
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
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Email: hhel@house.idaho.gov

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Thursday, January 25, 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:** Representative(s) Blanksma, Rubel

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.

MOTION: **Chairman Vander Woude** called the meeting to order at 9:00 a.m.

MOTION: **Rep. Roberts** made a motion to approve the minutes of the January 22, 2024, meeting. **Motion carried by voice vote.**

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

**DOCKET NO.
16-0302-2301:** **Nate Elkins** Bureau Chief, Division of Licensing and Certification, Bureau of Facility Standards, Department of Health and Welfare (DHW), presented **Docket No. 16-0302-2301**. The changes simplify the skilled nursing facilities' regulations and have no fiscal impact. State regulations duplicated in federal regulations were removed. Incorporated by reference were the Centers for Medicare and Medicaid Services (CMS) requirements for long-term care facilities and the guidelines for the design and construction of nursing facilities.

The FBI background criminal history language was incorporated to specify classifications for those required to have background checks. This rewrite continues to protect public health safety and welfare while providing an easily understood tool for stakeholders.

Responding to the committee, **Mr. Elkins** agreed Section 009 Subsection 03 beginning with "The individual" has "allowed to" stricken, but instead needs to have "is allowed to" stricken. The ambulance companies do their own background checks, which are incorporated by reference.

Robert Vande Merwe, Executive Director, Idaho Health Care Association (IHCA), representing the skilled nursing facilities, testified **in opposition** to **Docket No. 16-0302-2301**. He said they were happy to work with the Department to update the docket and liked the removal of conflicting regulations. In researching he discovered the number of skilled employees ratio was randomly chosen in the 1980's. The federal regulations do not list any skilled nursing-to-patient ratios. Their ambiguity works better than the numbers listed in this Rule.

Responding to committee questions, **Mr. Vande Merwe** explained the rule's staffing requirements can result in a facility being cited by both the state and the federal inspectors. The committee shared their confusion regarding the section heading of Tuberculosis Control. The listing of a staffing number when there is no federal staffing number could be interpreted as being more strict.

MOTION: **Rep. Healey** made a motion to approve **Docket No. 16-0302-2301**. **Motion failed by a voice vote.**

DOCKET NO. 16-0314-2301: **Nate Elkins**, Bureau Chief, Division of Licensing and Certification, Bureau of Facility Standards, DHW, presented **Docket No. 16-0314-2301**, to extend the hospital temporary rule for physician re-credentialing interval flexibility. The change allows accredited providers to immediately benefit from the flexibility instead of waiting for the rule change in 2025. There are no fees or charges.

MOTION: **Rep. Dixon(24)** made a motion to approve **Docket No. 16-0314-2301**. **Motion carried by voice vote.**

DOCKET NO. 16-0322-2301: **Tom Moss**, Program Supervisor, Resident Assisted Living Program, Division of Licensing and Certification, DHW, presented **Docket No. 16-0322-2301**. These rules modify licensing requirements without compromising resident health or safety. The changes allow more flexibility when applying for a new license, revise ownership reporting requirements, reduce the work age to address the workforce challenges, maintain the training requirements, and remove the temporary manager terminology. There is no fiscal impact or cost to providers.

Mr. Moss, responding to questions, stated although the minimum age is lowered to seventeen, it can be sixteen years of age with a certified nursing assistant (CNA) certificate. Work hours for such persons are not within this statute, but may be addressed in the state labor laws.

MOTION: **Rep. Redman** made a motion to approve **Docket No. 16-0322-2301**. **Motion carried by voice vote.**

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

Pat Kelly, Executive Director, Your Health Idaho (YHI), presented the YHI legislative update. Established in 2013, YHI celebrates ten years by noting their accomplishments, including helping 375k Idahoans have affordable health insurance and saving them \$44M through lower assessment fees. For 2023, an average of 99k Idahoans were enrolled, 88% qualified for lower monthly premiums, 55% of the enrollees have been with YHI for four or more years, and 62% used the self-service tools. YHI continues to have the lowest operating cost of all state-based marketplaces and one of the highest enrollment per capita.

YHI's revenue consists of \$10.3M assessment fees, \$.9M from rent of their building, and \$.5M other. Expenses are \$11.2M for operating, \$.3M for other expenses, and \$1.1M for capital expenditures. They continue to maintain a \$10M cash and cash equivalent balance.

In 2023 YHI refined the consumer advocate training, including training to handle complex situations. Dedicated consumer advocates became a part of the live chat feature. The entire process is now available in Spanish. Over 880 consumer connectors became YHI certified. A Net Promoter Score of 69 was received.

Outreach to communities included the "Always Present" year-round advertising campaign and a targeted digit campaign called "Lost Medicaid?" during the unwinding and open enrollment. The team participated in or attended over fifty events through the year and new connections were made with underserved communities and their organizations.

Medicaid unwinding began in February and ended in August. YHI worked closely with the DHW to ensure those who lost Medicaid understood their insurance options. An expedited approval process was created to address possible coverage gaps. Outreach included a "handshake" letter to every Idahoan who lost Medicaid coverage, a targeted digital ad campaign, and information to organizations statewide for their clients and patients.

As the unwinding continues, over 589k notices have been sent via e-mail, SMS, and letters. The "Lost Medicaid" ads delivered over 11M impressions. Idahoans totalling 16,600 who lost Medicaid coverage have enrolled with YHI. This includes 2,700 during the open enrollment. This is a nation-leading conversion rate of 31%.

For the 2024 open enrollment results of 122k enrollees, 79% were renewals, 21% were new customers, and there was an enrollment increase of 30% from December 2023. The self-service tools were used by 62% of the enrollees and over 96% of the customers have paid for coverage. YHI received a Net Promoter Score of 72 from October 15 to December 15. Of the enrollment plans selected, 103.8k were medical and 18.2k were dental.

YHI continues to build relationships with citizens, partners, and organizations, expand the offerings, and enhance the consumer advocate training. Increasing YHI's operational efficiencies will be guided by fiscally conservative business principles.

Responding to questions, **Mr. Kelly**, stated 21% of their existing enrollees chose to disenroll. He has no ability to obtain data regarding what they chose outside of YHI. They are very proud of their Net Promoter Scores. A score above zero is considered good and it is not uncommon for a score to be negative. The rainy day savings is included in the capital expenditures, which are not a part of the income statement. The expected Medicaid unwinding did not occur as soon as expected, causing a delay in revenue.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 9:59 a.m.

Representative Erickson
Chair

Irene Moore
Secretary

AGENDA
HOUSE HEALTH & WELFARE COMMITTEE
9:00 A.M.
Room EW20
Monday, January 29, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
RS 31055	Immunization Exemptions	Rep. Healey
RS 31057	Immunization Assessment Board	Rep. Healey
RS 30804	Controlled Substances Update	Nicki Chopski
RS 30823C1	Allied Health Professionals	Nicki Chopski
RS 30827	Midwifery Licensure	Nicki Chopski
16-0302-2301	Skilled Nursing Facilities (ZBR Chapter Rewrite) - Proposed Rule	Nate Elkins

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude
Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew (Wilson)
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
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MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Monday, January 29, 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:** Representative(s) Blanksma

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.

MOTION: **Rep. Dixon(24)** made a motion to approve the minutes of the January 23, 2024, meeting. **Motion carried by voice vote.**

RS 31055: **Rep. Dori Healey**, District 15, presented **RS 31055**, requiring Idaho Code (IC) 39-4801 be included with IC 39-4804 notices sent to parents from the schools.

MOTION: **Rep. Redman** made a motion to introduce **RS 31055**. **Motion carried by voice vote.**

RS 31057: **Rep. Dori Healey**, District 15, presented **RS 31057** to reset the Idaho Immunization Assessment Board sunset date to July 1, 2029.

MOTION: **Rep. Wheeler** made a motion to introduce **RS 31057**. **Motion carried by voice vote.**

RS 30804: **Nicki Chopski**, Health Professions Bureau Chief, Division of Occupational and Professional Licenses (DOPL), Executive Officer, Medical, Nursing and Pharmacy Boards, presented **RS 30804** to add six substances to the Uniformed Controlled Substances Act, Schedule I list of drugs.

MOTION: **Rep. Rubel** made a motion to introduce **RS 30804**. **Motion carried by voice vote.**

RS 30823C1: **Nicki Chopski**, Health Professions Bureau Chief, DOPL, Executive Officer, Medical, Nursing and Pharmacy Boards, presented **RS 30823C1** to create the Idaho Alliance Health Advisory Board (IAHAB), under the Board of Medicine (BOM), by combining four licensure boards. There is no fiscal impact to create this board.

MOTION: **Rep. Erickson** made a motion to introduce **RS 30823C1**. **Motion carried by voice vote.**

RS 30827: **Nicki Chopski**, Health Professions Bureau Chief, DOPL, Executive Officer, Medical, Nursing and Pharmacy Boards, presented **RS 30827** to combine the boards of nursing and midwifery. It also adds a second advance registered nurse (RN) to this combined board. This would give the midwives two seats on the BOM. There are no expected fee changes or fiscal impact.

MOTION: **Rep. Roberts** made a motion to introduce **RS 30827**. **Motion carried by voice vote.**

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

DOCKET NO. 16-0302-2301: **Chairman Erickson** returned **Docket No. 16-0302-2301**, which failed in committee on January 25, 2024, to the committee for further consideration.

Nate Elkins, Bureau Chief, Facility Standards, Division of Licensing and Certification, Department of Health and Welfare (DHW), presented **Docket No. 16-0302-2301**. This is a rewrite of the skilled nursing facilities regulations. The changes eliminate duplicate or outdated regulations. Incorporated by reference are the Centers for Medicare and Medicaid Services (CMS) long-term care facility requirements, the CMS nursing facility design and construction requirements, and the Federal Bureau of Investigation criminal history language for background checks. The rewrite is neither more stringent nor strict than federal regulations.

MOTION: **Rep. Roberts** made a motion to approve **Docket No. 16-0302-2301**.

Robert Vande Merwe, Executive Director, Idaho Hospital Association (IHA), testified in support of **Docket No. 16-0302-2301**, stating these rule staffing changes are less restrictive than the federal regulation.

David Lehman, American Association of Retired Persons, testified in support of **Docket No. 16-0302-2301** with a few changes. The pending CMS staffing changes will be in conflict with those listed in this rule. He asked the committee to reject Section 200, Subsection 02, Paragraph d, for nursing staff hours per resident per day to retain the existing code. He expressed confusion regarding the renaming of Section 200 to "Tuberculosis Control."

Chairman Erickson reminded the committee they can reject a Rule portion, but cannot make changes.

MOTION WITHDRAWN: **Rep. Roberts** requested unanimous consent to withdraw his motion. There being no objection, the request was granted.

Chairman Erickson put the committee at ease at 9:31 a.m. The committee was called to order at 9:40 a.m.

MOTION: **Rep. Mitchell** made a motion to approve **Docket No. 16-0302-2301**, with the exception of Section 200, Subsection 02, Paragraph d. **Motion carried by voice vote. Rep. Gallagher** requested she be recorded as voting **NAY**.

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 9:44 a.m.

Representative Vander Woude
Chair

Irene Moore
Secretary

AGENDA
HOUSE HEALTH & WELFARE COMMITTEE
9:00 A.M.
Room EW20
Tuesday, January 30, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
	<u>Department of Health and Welfare</u>	
<u>16-0202-2301</u>	Idaho Emergency Medical Services (EMS) Physician Commission (ZBR Chapter Rewrite) - Proposed Rule	Dr. Curtis Sandy
<u>16-0301-2301</u>	Eligibility for Health Care Assistance for Families and Children (ZBR Chapter Rewrite) - Proposed Rule	Laura Schumaker
<u>16-0305-2301</u>	Eligibility for Aid to the Aged, Blind, and Disabled (AABD) (ZBR Chapter Rewrite) - Proposed Rule	Laura Schumaker
<u>16-0306-2301</u>	Refugee Medical Assistance - Proposed Rule	Laura Schumaker
<u>16-0304-2301</u>	Idaho Food Stamp Program (ZBR Chapter Rewrite) - Proposed Rule	Kristen Matthews

***Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)***

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude
Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew (Wilson)
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
Room: EW14
Phone: 332-1138
Email: hhel@house.idaho.gov

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Tuesday, January 30, 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.

MOTION: **Rep. Roberts** made a motion to approve the minutes of the January 24, 2024, meeting. **Motion carried by voice vote.**

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

DOCKET NO. 16-0202-2301: **Dr. Curtis Sandy**, Chair, Idaho Emergency Medical Services (EMS) Physician Commission, presented **Docket No. 16-0202-2301**, with changes to update the scope of practice, remove duplicative language, and reduce the regulatory burden for EMS clinicians in hospitals and clinics. The medical emergency responder scope has been expanded to include a transporting license. The changes for paramedics expand them into the 911 realm and add tactical EMS support with specific training to assist law enforcement.

MOTION: **Rep. Healey** made a motion to approve **Docket No. 16-0202-2301. Motion carried by voice vote.**

DOCKET NO. 16-0301-2301: **Laura Schumaker**, Program Manager, Medicaid Policy, Division of Welfare, Self Reliance Programs, Department of Health and Welfare (DHW), presented **Docket No. 16-0301-2301**, which updates the Medicaid program eligibility for healthcare assistance for families and children. The changes simplify the rule by removing outdated regulations, consolidating requirements, and reducing redundancy. Eligibility is not changed. Pregnancy coverage has been clarified by reference.

Answering questions, **Ms. Schumaker** said the citizenship and qualified non-citizenship requirements have not changed. A person with an asylum status based on the U.S. Citizenship and Immigration Services (USCIS) and Homeland Security requirements would be eligible for Medicaid.

MOTION: **Rep. Dixon(24)** made a motion to approve **Docket No. 16-0301-2301. Motion carried by voice vote. Reps. Gallagher and Kingsley** requested they be recorded as voting **NAY.**

DOCKET NO. 16-0305-2301: **Laura Schumaker**, Program Manager, Medicaid Policy, Division of Welfare, Self Reliance Programs, DHW, presented **Docket No. 16-0305-2301**. This Rule for the aid to the aged, blind and disabled has been rewritten to remove outdated, non-applicable, obsolete, and duplicate language. Eligibility requirements have not changed.

MOTION: **Rep. Wheeler** made a motion to approve **Docket No. 16-0305-2301**. **Motion carried by voice vote.** **Reps. Gallagher** and **Kingsley** requested they be recorded as voting **NAY**.

DOCKET NO. 16-0306-2301: **Laura Schumaker**, Program Manager, Medicaid Policy, Division of Welfare, Self Reliance Programs, DHW, presented **Docket No. 16-0306-2301** to update the Refugee Assistance Program to align with the federal requirements and announcements from the federal register. There are no changes to the eligibility requirements.

Ms. Schumaker, in response to committee questions, stated the Refugee Medical Assistance Program was increased from eight consecutive months to twelve consecutive months. This is a 100% federally funded program, with no Idaho taxpayer dollars impacted. The incorporated by reference federal regulations were last changed in 1992. The refugee determination is handled by Homeland Security protocol. There are currently thirty refugees living in Idaho.

MOTION: **Rep. Wilson** made a motion to approve **Docket No. 16-0306-2301**. **Motion carried by voice vote.** **Reps. Vander Woude, Mitchell, Gallagher,** and **Kingsley** requested they be recorded as voting **NAY**.

DOCKET NO. 16-0304-2301: **Kristen Matthews**, Policy Bureau Chief, Eligibility Programs, Division of Self Reliance, DHW, presented **Docket No. 16-0304-2301** for the Supplemental Nutritional Assistance Program (SNAP) updates. The rewritten rule removes ineffective and outdated regulations, simplifying the language. The able-bodied age limits have been increased.

Responding to questions, **Ms. Matthews**, clarified individuals seeking asylum in this country are not eligible to receive food stamp benefits. SNAP eligibility is redetermined every six months for most households. The elderly or disabled individuals on the program are recertified every twelve months.

MOTION: **Rep. Redman** made a motion to approve **Docket No. 16-0304-2301**. **Motion carried by voice vote.** **Rep. Gallagher** requested she be recorded as voting **NAY**.

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 9:33 a.m.

Representative Erickson
Chair

Irene Moore
Secretary

AMENDED AGENDA #1
HOUSE HEALTH & WELFARE COMMITTEE
9:00 A.M.
Room EW20
Wednesday, January 31, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
H 393	Counseling compact, fingerprinting	Rep. Dixon (24)
	<u>Department of Health and Welfare</u>	
16-0103-2301	Emergency Medical Services (EMS) - Agency Licensing Requirements (ZBR Chapter Rewrite) - Proposed Rule	Jathan Nalls
16-0102-2301	Emergency Medical Services (EMS) - Rule Definitions - Proposed Rule	Jathan Nalls

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude
Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew (Wilson)
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
Room: EW14
Phone: 332-1138
Email: hhel@house.idaho.gov

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Wednesday, January 31, 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:** Representative(s) Kingsley

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.

H 393: **Rep. Chenele Dixon(24)**, District 36, presented **H 393** which allows Idaho to join the new interstate counseling compact. There are 32 states currently in the compact and ten states have pending legislation to join. The compact allows counselors to practice in other compact states through an agreement which recognizes their home state license and provides a "privilege-to-practice." Each participating state has one seat on the commission.

Through the compact, in-person or telehealth counseling will provide continued care access for Idahoans who leave the state on a temporary or permanent basis. Participation in the compact is voluntary. The compact data provides communication between states for disciplinary action, licensure status, and patient safety. Access will be increased for clients or counselors in rural areas, the military, and persons moving into Idaho.

MOTION: **Rep. Wheeler** made a motion to send **H 393** to the floor with a **DO PASS** recommendation.

Chad Yates, Public Policy Chair, Idaho Counseling Association, was invited to answer committee questions. The compact oversees the interstate practice of participating state members, administers the privilege-to-practice, and monitors any ethical violations. Idaho's licensure and practice rules will remain in tact. Idaho offers the highest degree of licensed clinical professional counselor (LCPC) training in the nation, with in the field practice hours. Transferring these hours has been an issue when graduates apply for licensure in other states.

Stephanie Sherman, Licensed Clinical Professional Counselor, President, Idaho Counseling Association (ICA), testified **in support** of **H 393**, explaining her challenges as a military spouse, service member, and counselor. Some of her clients live on the Idaho border, are students who return to their home states during breaks, or are military members going on maneuvers. The current restrictive out of state client contact poses a moral dilemma for counselors.

Dylan Haas, Licensed Special Counselor, Member, ICA, testified **in support** of **H 393**. By maintaining the continuity of client care, the compact offers many positives.

Krista Doubleday, Executive Board Member, ICA, testified in support of **H 393**. Children may be in dual custody situations with one parent in another state. She faces a moral dilemma if a client calls during a crisis because she legally cannot take their call, but cares about their well being. Trauma patients who may need to escape to another state for their safety can miss critical treatment while they locate a new qualified therapist.

Answering an earlier question, **Ms. Doubleday** said most insurance company plans are linked to larger companies such as Blue Cross. Billings, whether in or out of state, go through the larger company at their approved rates. This eliminates the concept of any billing advantage. The counselors are licensed to protect and do no harm, which is difficult if the client is out of state and in crisis.

VOTE ON MOTION:

Chairman Vander Woude called for a vote on the motion to send **H 393** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Dixon(24)** will sponsor the bill on the floor.

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

DOCKET NO. 16-0103-2301:

Jathan Nalls, Section Manager, System of Care Section Manager, Bureau of Emergency Medical Services (EMS) and Preparedness, Division of Public Health, Department of Health and Welfare (DHW), presented **Docket No. 16-0103-2301**. The agency licensure requirements have been updated for clarification and removal of outdated sections. A new, clearer license model has been added. Other changes include declaration and personnel requirements for specialty services, flexibility in air medical transport crews, retention of non-911 transport records, EMS ambulance response criteria, and incorporation by reference of two manuals.

There was a committee question regarding concern for the lack of legislative review for updates to the referenced standards manual. **Mr. Nalls** said the manual contains parts of the rules which were removed, but not changed, for ease of reference.

MOTION:

Rep. Vander Woude made a motion to **HOLD Docket No. 16-0103-2301** in committee, subject to the call of the Vice Chairman.

Speaking to the motion, **Rep. Vander Woude** said he was concerned regarding moving portions of rules into a handbook when there is no legislative review process for handbooks.

VOTE ON MOTION:

Chairman Erickson called for a vote on the motion to **HOLD Docket No. 16-0103-2301** in committee, subject to the call of the Vice Chairman. **Motion carried by voice vote.**

DOCKET NO. 16-0102-2301:

Jathan Nalls, Section Manager, System of Care Section Manager, Bureau of EMS and Preparedness, Division of Public Health, DHW, presented **Docket No. 16-0102-2301**, for EMS definitions. Changes remove obsolete terminology. New terms added include licensing model, emergency driver procedures and emergency driver response.

MOTION:

Rep. Redman made a motion to approve **Docket No. 16-0102-2301**. **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 10:00 a.m.

Representative Erickson
Chair

Irene Moore
Secretary

AMENDED AGENDA #1
HOUSE HEALTH & WELFARE COMMITTEE
8:00 A.M.
Room EW20
Thursday, February 01, 2024

Note Time Change

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
H 419	Medicaid Expansion, Conditions	Rep. Redman
RS 31158	Medicaid Expansion, Conditions	Rep. Redman

Testimony Limited to Two Minutes

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude
Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew (Wilson)
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
Room: EW14
Phone: 332-1138
Email: hhel@house.idaho.gov

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Thursday, February 01, 2024

TIME: 8:00 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 8:00 a.m.

H 419: **Rep. Redman**, District 3, presented **H 419** to address the Medicaid Expansion failures and shortcomings while maintaining the positive effects of Idaho's welfare program. This legislation provides guardrails and accountability measures through eleven conditions designed to greatly reduce abuse while removing restrictions for low income individuals who want to go onto the private insurance market. It will close loopholes, improve eligibility verifications, implement common sense enrollment guardrails, and assure individuals who can work do work. Those who voted for the expansion wanted to help individuals who hit a rough patch, not provide long-term government dependency. This does not impact traditional Medicaid. It asks the federal government to let Idaho use its Medicaid dollars wisely for the families who need it most. This is an ambitious bill to regain control of the program.

Scott Centerino, Deputy Policy Director, Foundation for Government Accountability, Visiting Fellow, Opportunities Solutions Project, further presented **H 419**. This legislation is a Medicaid rescue mission for a program on an unsustainable path. The program cost has increased from 17% of the state budget to almost 30%. The improper payment rate of 18% is mostly eligibility errors. Through **H 419** individuals in need are again being prioritized. The lifetime caps and worker requirements are in alignment with other existing programs.

This legislation stipulates continuation of the Medicaid Expansion is a provisional part of the eleven conditions. These conditions include the federal match rate, work requirements, private insurance coverage, an enrollment cap, reduction of the improper payment rate, annual eligibility verification, a lifetime cap, a time frame for redetermination, hospital presumptive determination limits, and the use of funds for sex change services for minors or adults.

Answering committee questions, **Mr. Centerino** said nothing on this scale has been done before. Georgia currently has a work requirement. Arkansas briefly had a work requirement for a while. Utah experimented with an enrollment cap. Idaho's previous waivers were rejected as not being cost neutral. The enrollment cap applies only to the expansion population. The waivers will be part of a package the Department of Health and Welfare will submit along with the demonstration of the federal cost savings.

Chairman Vander Woude explained to the committee the Medicaid Expansion's unexpected doubling of the anticipated program costs.

Continuing to answer questions, **Mr. Centerino** said not all conditions require a waiver. Improper payment, a federal term, does not include fraud and the high rate consists of eligibility errors.

Testifying **in opposition** to **H 419** were **Bonnie Shuster**, Boise; **Hillarie Hagen**, Idaho Voices For Children; **Dr. Scott Dunn**, Sandpoint; **Carol Augustus**, Nampa; **David Lehman**, Cottonwood Creek Behavioral Hospital; **John Barnes**, Boise; **Jennifer Johnson**, Boise; **Brittany Shipley**, Hailey; **Beth Markley**, NAMI Idaho; **Michael Sandvig**, Idaho Council on Developmental Disabilities; **Christine Curry**, AARP; **Dr. Jonathan Chu**, Boise; **Laura Scuri**, Idaho Association of Community Providers and Access Behavioral Health Services, Inc.; **Tina Hilding**, Moscow; **William Thomas**, McCall; **Loren Colson**, Idaho Coalition for Safe Healthcare; **Rad Nguyen**, Boise; **Michael Baker**, Heritage Health; **Dr. Andrea Christopher**, Boise; **April Frederick**, Boise; **Kandie Luttmmer**, American Cancer Society, Cancer Action Network; **Gwynne McElhinney**, Boise; **Dr. Amelia Schurke**, Boise; **Randy Johnson**, American Cancer Society, Cancer Action Network; **Karen Lansing**, Boise; **Rebecca Tateoka**, Paul; **Kay Hummel**, Boise; **Laura Brown**, The Leukemia & Lymphoma Society; **Jeff Fereday**, Boise; **Melanie Edwards**, Idaho Falls; **Rhoda Mack**, Viola; **Toni Lawson**, Idaho Hospital Association; **Sam Sandmire**, Boise.

This legislation goes against the intent of those voting in favor of Medicaid Expansion, would create a new healthcare gap population, and negatively impacts small businesses. Idahoans with mental health issues would no longer have access to services and medications. Mental health crises would lead to increased incarceration and institutionalism. Private insurance costs would be too high, resulting in non-covered medical costs, a rise in destitute Idahoans, and the return of heavy emergency room use over preventative care. The 2025 waiver completion deadline is unreasonable.

Testifying **in support** of **H 419** were **Fred Birnbaum**, Idaho Freedom Foundation; and **Maggie Lyons**, Panhandle Affordable Housing Alliance.

Their comments included the package concept with the repeal ultimatum provides an incentive for federal approval. Idaho has more job openings than workers. Work requirements are important for self worth at every level.

Rep. Redman, in closing remarks, said the mentally ill are part of traditional Medicaid and would not be affected. This legislation is not intended to repeal Medicaid Expansion. Rather, it is designed to grow the continuing program. The taxpayer interest must also be protected. Through **H 419**, Idaho's relationship with Washington D.C. is redefined, letting them know Idaho wants to manage Medicaid expansion on its terms.

MOTION: **Rep. Kingsley** made a motion to send **H 419** to the floor with a **DO PASS** recommendation.

SUBSTITUTE MOTION: **Rep. Rubel** made a substitute motion to **HOLD H 419** in committee.

Speaking to her substitute motion, **Rep. Rubel** said the upshot of this legislation would be repeal of Medicaid expansion. She expressed concern regarding the requests being unrealistic.

AMENDED SUBSTITUTE MOTION: **Rep. Gallagher** made an amended substitute motion to introduce **RS 31158** and recommend it be sent directly to the Second Reading Calendar.

**ROLL CALL
VOTE ON
AMENDED
SUBSTITUTE
MOTION:**

Chairman Vander Woude requested a roll call vote on the amended substitute motion. **Motion failed by a vote of 5 AYE, 8 NAY. Voting in favor** of the motion: **Reps. Kingsley, Mitchell, Gallagher, Redman, Vander Woude. Voting in opposition** to the motion: **Reps. Erickson, Blanksma, Dixon(24), Healey, Wheeler, Wilson, Rubel, Roberts.**

**ROLL CALL
VOTE ON
SUBSTITUTE
MOTION:**

Chairman Vander Woude requested a roll call vote on the substitute motion. **Motion carried by a vote of 8 AYE, 5 NAY. Voting in favor** of the motion: **Reps. Erickson, Blanksma, Dixon(24), Healey, Wheeler, Wilson, Rubel, Roberts. Voting in opposition** to the motion: **Reps. Kingsley, Mitchell, Gallagher, Redman, Vander Woude.**

Due to time constraints, **RS 31158** did not come before the committee.

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 10:56 a.m.

Representative Vander Woude
Chair

Irene Moore
Secretary

AMENDED AGENDA #1
HOUSE HEALTH & WELFARE COMMITTEE
9:00 A.M.
Room EW20
Monday, February 05, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
RS 31126	Medicaid - Pregnancies - Postpartum	Rep. Blanksma
H 397	Immunization registry, opt in	Rep. Blanksma
H 399	Maternal mortality, board, report	Rep. Blanksma

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude
Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew (Wilson)
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
Room: EW14
Phone: 332-1138
Email: hhel@house.idaho.gov

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

- DATE:** Monday, February 05, 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.
- MOTION:** **Rep. Dixon(24)** made a motion to approve the minutes of the January 25 and 29, 2024, meetings. **Motion carried by voice vote.**
- Chairman Vander Woude** announced **RS 31126** will be held in committee pending a fiscal note correction.
- H 397:** **Rep. Megan Blanksma**, District 8, presented **H 397**. She shared the children only Immunization Registry Information System (IRIS) began as a voluntary opt-in program and was changed in 2010 to an opt-out program. This change made opt-in automatic, without parental permission. During COVID in 2021 adult vaccinations were automatically opted into IRIS, without notice to the recipients. This legislation returns IRIS to an opt-in system.
- The intent of the change to an opt-out system was to increase and maintain the immunization rate of children. However, the 2019 to 2020 immunization rate of 86.5% for children under thirteen years of age has dropped to 80.2% in 2021-2022. The opt-out process is very complicated and less transparent.
- Dr. Cristina Abuchaibe**, Pediatric Cardiologist, Idaho's Children Are Primary, testified **in opposition to H 397**. IRIS helps providers assure the children get only the vaccinations necessary. This change would result in incomplete records. Choice is an integral part of the IRIS system and its data is only available to specific providers.
- Answering committee questions, **Dr. Abuchaibe** said rural practices will have an associated cost to return to the opt-in system. The current system is not broken and not impacting parental decision rights. Rural areas already face financial issues which would increase further with the additional staff and programming required for the system change.
- Grace Howat**, Policy Assistant, Idaho Family Policy Center, testified **in support of H 397**. Parental rights and privacy need to be respected for this personal information.
- Rebecca Coyle**, Self, testified **in opposition to H 397**, stating concern regarding no reference to the implementation timeline and costs. There are fewer than 1,000 individuals who have opted out of IRIS. The implementation date of July 1, 2024, is unattainable and will delay ordering vaccines as well as record access.

Heather Gagliano, Self, testified **in opposition** to **H 397**, stating she has always been fully informed of her IRIS participation rights. In the schools the IRIS data prevents going through other processes to obtain the information needed for accurate care. In her opinion it is unfair to spend taxpayer dollars to change an efficient system.

In closing remarks, **Rep. Blanksma** said the opposition involves the inconvenience and cost of informing parents while providing consent forms. Most adults are unaware IRIS is recording their vaccine data because they were not given a consent form. This legislation assures everyone can direct where their medical data goes.

MOTION: **Rep. Redman** made a motion to send **H 397** to the floor with a **DO PASS** recommendation.

SUBSTITUTE MOTION: **Rep. Rubel** made a substitute motion to **HOLD H 397** in committee. **Motion failed by voice vote.**

VOTE ON ORIGINAL MOTION: **Chairman Vander Woude** called for a vote on the original motion to send **H 397** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Reps. Roberts, Rubel, and Wilson** requested they be recorded as voting **NAY. Rep. Blanksma** will sponsor the bill on the floor.

H 399: **Rep. Megan Blanksma**, District 8, presented **H 399**. Maternal mortality data is currently being collected by the DHW without a board review process. This legislation establishes the review process as a part of the Board of Medicine (BOM), who has the authority to work with the DHW and set up other boards. A legislative report is required by January 31st of each year.

Answering questions, **Rep. Blanksma** said the costs are related to meetings and would be covered by the BOM, with no federal funding required.

Dr. Stacy Seyb, Self, testified **in support** of **H 399**. Maternal mortality is not a simple statistic. The synthesizing of underlying causes will help prevent future tragedies. He suggested the legislation include immunity and confidentiality for those giving information.

Carmen Broesder, Self, testified **in opposition** to **H 399**, stating individuals who have experienced miscarriages and their providers are not included in this data.

Dr. Melissa Roop, Idaho Coalition for Safe Healthcare, testified **in support** of **H 399**. She requested the focus include under reporting as well as missclassifications and near misses.

Dr. Martha Lund, Retired Obstetrician and Gynecologist, American College of Obstetrics and Gynecology, testified **in support** of **H 399** with reservations. Establishing the committee is a crucial step in addressing maternal mortality. Critical elements needed incorporate participant immunity and confidentiality to allow open, honest discussions.

Cindy Thorngren, National Association of Women, Southwest Idaho, testified **in support** of **H 399**, adding the report needs to compare with other states. There is a need to assure how the system helps moms survive their first year instead of focusing only on the infant.

Rep. Blanksma, in closing, stated the goal was to avoid the continued DHW data collection problems. Confidentiality can be addressed through agreements. Existing federal funding is unnecessary.

MOTION: **Rep. Dixon(24)** made a motion to send **H 399** to the floor with a **DO PASS** recommendation.

Rep. Mitchell stated he will be voting in favor of the motion but may change his floor vote.

**VOTE ON
MOTION:**

Chairman Vander Woude called for a vote on the motion to send **H 399** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Reps. Kingsley and Gallagher** requested they be recorded as voting **NAY. Rep. Blanksma** will sponsor the bill on the floor.

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 9:53 a.m.

Representative Vander Woude
Chair

Irene Moore
Secretary

AGENDA
HOUSE HEALTH & WELFARE COMMITTEE
9:00 A.M.
Room EW20
Tuesday, February 06, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
RS 31106	Essential Caregivers	Rep. Young
RS 30825	Fingerprint Background Checks	Katie Stuart, Bureau Chief DOPL
H 392	Health Districts, Powers, Duties	Rep. Gallagher
H 435	Controlled Substances, Schedule I	Rep. Erickson

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude
Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew (Wilson)
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
Room: EW14
Phone: 332-1138
Email: hhel@house.idaho.gov

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Tuesday, February 06, 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:** Representative(s) Rubel

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.

MOTION: **Rep. Roberts** made a motion to approve the January 30, 2024, meeting minutes. **Motion carried by voice vote.**

RS 31106: **Rep. Young**, District 30, presented **RS 31106** to address concerns regarding essential caregiver visitation restrictions during situations such as COVID. This proposed legislation establishes the Essential Caregivers Act, to include immediate family members. The patient or resident stipulates the caregivers, with a provision for withdrawal of that status. It aligns with the statute for surrogate decision makers and addresses hospital issues to educate individuals regarding essential caregivers. This statute would not pertain to persons in law enforcement custody. It would not be active when there are no visitation restrictions.

MOTION: **Rep. Healey** made a motion to introduce **RS 31106**. **Motion carried by voice vote.**

RS 30825: **Katie Stuart**, Bureau Chief, Administration Bureau, Division of Occupational and Professional Licenses (DOPL), presented **RS 30825**, proposed legislation to bring the compact licensing background check procedures in alignment with the Federal Bureau of Investigation requirements.

MOTION: **Rep. Redman** made a motion to introduce **RS 30825**. **Motion carried by voice vote.**

H 392: **Rep. Jacyn Gallagher**, District 9, presented **H 392** to change the wording "all things required" to "necessary and reasonable things required." This provides a parameter for the District Health Boards.

Sen. Brian Lenney, District 13, further presented **H 392**. In the wake of COVID 19, trust in the health systems is important. This legislation solidifies that trust by clearly defining the role of the public health districts. The use of "all things necessary" inadvertently handed them unlimited authority. The change provides boundaries and safeguards against misuse, with accountability and oversight. "Preventative health measures" has been removed to allow individuals to make their own decisions.

Answering questions, **Sen. Lenney** said the removal of "preventative health measures" restrains the board's power, not existing preventative programs. The changes assure the board is not overstepping its boundaries or requiring anything in the name of preventative health. There is no change to the existing regulatory or enforcement mechanisms.

David Pettinger, Self, testified **in support** of **H 392** stating this is a change to address the unnecessary and unreasonable acts committed by the District Health Boards during the pandemic.

Kirk Chandler, County Commissioner, Retired, Southwest District Health, Ex-member, testified **in support** of **H 392**. The county commissioners enforce the actions of the District Health Boards. There were a lot of injustices done during COVID without the county commissioners' required approval. It is important the District Health Boards introduce their plans to the county commissioners prior to implementation.

Sara Clendenon, Health Freedom Idaho, testified **in support** of **H 392**. The changes require the District Health Boards to explain their actions. It will assure what happened during COVID does not reoccur.

Misty Karlfeldt, Health Freedom Idaho, testified **in support** of **H 392**, which asks the health districts to pause and assure what they are doing is necessary and reasonable, improving the checks and balances.

In closing comments, **Sen. Lenney**, stated **H 392** holds government actors accountable to the people and demonstrates clarity is the solution to ambiguity and unchecked power. This simple change reaffirms the rights and autonomy of all Idahoans.

MOTION: **Rep. Wheeler** made a motion to send **H 392** to General Orders.

SUBSTITUTE MOTION: **Rep. Kingsley** made a substitute motion to send **H 392** to the floor with a **DO PASS** recommendation.

Committee discussion revealed strong concerns regarding the impact on existing preventative programs with the removal of "preventative health measures."

MOTION WITHDRAWN: **Rep. Kingsley** made a unanimous consent request to withdraw his substitute motion to send **H 392** to the floor with a **DO PASS** recommendation. There being no objection the request was granted.

VOTE ON MOTION: **Chairman Vander Woude** called for a vote on the motion to send **H 392** to General Orders. **Motion carried by voice vote.** **Rep. Gallagher** requested she be recorded as voting **NAY.** **Rep. Gallagher** will sponsor the bill on the floor.

H 435: **Nicki Chopski**, Health Professions Bureau Chief, DOPL, Executive Officer, Board of Medicine, Board of Nursing, Board of Pharmacy, presented **H 435** for the Uniform Controlled Substances Act. Additions include one synthetic opioid and four illicit stimulants added to Schedule I. Methoxetamine is moved to the hallucinogens section of code.

MOTION: **Rep. Redman** made a motion to send **H 435** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Reps. Chew** and **Erickson** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 9:52 a.m.

Representative Vander Woude
Chair

Irene Moore
Secretary

AGENDA
HOUSE HEALTH & WELFARE COMMITTEE
9:00 A.M.
Room EW20
Wednesday, February 07, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
	Rules - Referenced Items Overview	Josh Scholer, Division of Financial Management
16-0103-2301	Emergency Medical Services (EMS) - Agency Licensing Requirements (ZBR Chapter Rewrite) - Proposed Rule No further testimony will be taken.	Jathan Nalls, Department of Health and Welfare
RS 31125	Vitamins and Supplements	Rep. Gallagher

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude
Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew (Wilson)
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
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Email: hhel@house.idaho.gov

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Wednesday, February 07, 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:** Representative(s) Rubel

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.

MOTION: **Rep. Roberts** made a motion to approve the January 31 and February 1, 2024, meeting minutes. **Motion carried by voice vote.**

RS 31125: **Rep. Jacyn Gallagher**, District 9, presented **RS 31125**. This proposed legislation for dietary supplements and vitamins moves the existing rules into statute to assure each Idahoan has continued access. It addresses attempts by groups wishing to have vitamins and supplements regulated as drugs.

MOTION: **Rep. Healey** made a motion to introduce **RS 31125**. **Motion carried by voice vote.**
Chairman Vander Woude turned the gavel over to **Vice Chairman Erickson**.

Josh Scholer, Bureau Chief, Division of Financial Management, Regulatory and Legislative Affairs, appeared before the committee to explain the use of "incorporation by reference" for Rules review. He shared the agency statute instructions for such an incorporation. Mr. Scholer then showed the committee how to access the synopsis of changes and the actual incorporated document. If there are changes to the incorporated document, a link will show a draft copy which becomes official upon legislative approval.

Answering questions, **Mr. Scholer** explained the incorporated documents are subject to the same committee review, with complete or partial approval and portions rejected. It is incumbent upon the agencies to inform the committee of any changes within the incorporated documents.

**DOCKET NO.
16-0103-2301:** **Jathan Nalls**, Program Manager, Bureau of Emergency Medical Services (EMS) and Preparedness, Division of Public Health, Department of Health and Welfare, presented **Docket No. 16-0103-2301** for EMS agency licensure requirements. Updates include the minimum equipment standards and creation of an agency manual. Redundancy was reduced and content was streamlined. A stipulation was made to require removal and replacement of equipment not supported by the vendor. The incorporated document includes details, processes, and items which are not necessary to keep in rule. No conceptual changes were made to anything moved to the manual.

MOTION: **Rep. Healey** made a motion to approve **Docket No. 16-0103-2301**. **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 9:33 a.m.

Representative Vander Woude
Chair

Irene Moore
Secretary

AGENDA
HOUSE HEALTH & WELFARE COMMITTEE
9:00 A.M.
Room EW20
Thursday, February 08, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
RS 30821	Certified Family Homes	Steven Millward, Dept. of Health & Welfare
RS 30884	Pharmacy - Practice	Rep. Redman
RS 31054	Pelvic Exams - Unconscious Patients	Rep. Green
RS 31134	Health Care Sharing Ministries	Rep. Redman
RS 31204	Telehealth - Behavioral - Schools	Rep. Healey
RS 31255	Health Boards - Duties	Rep. Gallagher

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude
Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew (Wilson)
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
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Email: hhel@house.idaho.gov

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Thursday, February 08, 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 9:01 a.m.

RS 30821: **Steven Millward**, Program Manager, Certified Family Homes (CFH) Program, Division of Licensing and Certification, Department of Health and Welfare, presented **RS 30821** which overhauls statute to correct and clarify the chapter for CFH's.

MOTION: **Rep. Healey** made a motion to introduce **RS 30821**. **Motion carried by voice vote.**

RS 30884: **Rep. Jordan Redman**, District 3, presented **RS 30884**. The Idaho Board of Pharmacy has undergone many reforms through administrative rule. This proposed legislation moves those rules into statute for review by the legislature, not board members. No other changes are made.

MOTION: **Rep. Gallagher** made a motion to introduce **RS 30884**. **Motion carried by voice vote.**

RS 31054: **Rep. Brook Green**, District 18, presented **RS 31054**, proposed legislation to prohibit pelvic examinations of unconscious individuals and codify existing practices. Such exams have been conducted for training or educational purposes.

MOTION: **Rep. Rubel** made a motion to introduce **RS 31054**. **Motion carried by voice vote.**

RS 31134: **Rep. Jordan Redman**, District 3, presented **RS 31134** to provide Medicaid Savings Account eligibility for health care sharing ministries (HCSM). These are not-for-profit organizations acting as a clearing house for their members' health care costs.

MOTION: **Rep. Blanksma** made a motion to introduce **RS 31134**. **Motion carried by voice vote.**

RS 31204: **Rep. Dori Healey**, District 15, presented **RS 31204** which provides increased behavioral health access for public and charter schools in a secure and confidential telehealth manner via provider electronic health records. The schools have no access to the records.

MOTION: **Rep. Blanksma** made a motion to introduce **RS 31204**. **Motion carried by voice vote.**

RS 31255: **Rep. Jacyn Gallagher**, District 9, introduced **RS 31255**, a replacement for **H 392** which was sent to General Orders. This proposed legislation does not remove preventative health.

MOTION: **Rep. Blanksma** made a motion to introduce **RS 31255**. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 9:16 a.m.

Representative Vander Woude
Chair

Irene Moore
Secretary

AMENDED AGENDA #2
HOUSE HEALTH & WELFARE COMMITTEE
9:00 A.M.
Room EW20
Monday, February 12, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
RS 31147C1	International Physicians	Rep. Wheeler
RS 31192	Family Daycare Homes	Rep. Green

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude
Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew (Wilson)
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
Room: EW14
Phone: 332-1138
Email: hhel@house.idaho.gov

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Monday, February 12, 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:** Representative(s) Blanksma, Kingsley

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.

MOTION: **Rep. Dixon(24)** made a motion to approve the minutes of the February 5, 6, 7, and 8, 2024, meetings. **Motion carried by voice vote.**

RS 31147C1: **Rep. Josh Wheeler**, District 35, presented **RS 31147C1** to create a licensure pathway for internationally trained physicians. This empowers the board to develop a three-year temporary practice license.

MOTION: **Rep. Healey** made a motion to introduce **RS 31147C1**. **Motion carried by voice vote.**

RS 31192: **Rep. Brook Green**, District 18, presented **RS 31192** stipulating homeowner associations cannot amend their covenants, conditions, and restrictions (CC&Rs) to prohibit in-home family daycares. This ensures the families have another means for revenue while providing services to their communities.

MOTION: **Rep. Rubel** made a motion to introduce **RS 31192**. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 9:06 a.m.

Representative Vander Woude
Chair

Irene Moore
Secretary

AMENDED AGENDA #1
HOUSE HEALTH & WELFARE COMMITTEE
9:00 A.M.
Room EW20
Tuesday, February 13, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
	<u>Medicaid Modernization</u>	
	AHIP	Rhys Jones, Vice President, Medicaid Policy
	SelectHealth	Russ Elbel, Assistant Vice President

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude
Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew (Wilson)
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
Room: EW14
Phone: 332-1138
Email: hhel@house.idaho.gov

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Tuesday, February 13, 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.

Rhys Jones, Vice President, Medicaid Policy, American Health Insurance Plans (AHIP), shared information on the value of Medicaid managed care.

Medicaid managed care is a partnership with managed care organizations (MCO's) who handle the administrative operations, thereby shifting the state's focus to oversight. For the forty-two states using managed care for Medicaid, federal regulations provide them with flexibility in customization, design, and implementation of their programs.

Medicaid MCOs engage and contract with providers. They also provide enrollee outreach through avenues such as care management, education, and appointment reminders. Financial management and reporting includes medical loss ratios (MLRs), fraud waste, and abuse detection.

Using MCOs provides better budget predictability, improved care coordination, experiences from other states, tailored enrollee care, varied business models, varied capabilities for infrastructure models, and assistance to advance Medicaid initiatives.

The care and services plan includes assessment which is very helpful for enrollees with chronic and predisposing medical behavioral, functional, and social needs. Care managers with special training provide the assessments, work with providers, and work with community organizations.

The lengthy process to move to managed care has proven successful in other states when done on a graduated basis from the less complex to the more complex enrollee populations. The state sets the quality, contract, and payment rate floors as the managed care program is implemented. Capitation rates must be developed to be actuarially sound and include an MLR requirement.

MCOs meet both federal and state adequacy standards to provide the required scope of specialties, which may include telehealth. The provider and MCO agree on rates, although the state determines the rate basis.

Innovations through managed care MCO experiences in other states have increased the effectiveness and need for long-term health services. Some examples include various forms of telehealth, health related social needs, home environment modifications, and provider support.

A 2023 Medicaid managed care report shows MCOs spent 85.8% of capitation revenues on health care services and quality. AHIP administration capitation revenues were 8.1%, taxes and fees were 2.8%, and the net margin was 3.3%.

As of January 2024, 236 of the 292 MCOs are accredited by the NCQA. Medicaid MCOs improve the quality of care through routine monitoring and reporting with standardized measuring methods. Provider incentives include bonus payments in 24 states, capitation withholding of one to two percent in 25 states, and eight states make preferential auto-assignment of enrollees based on quality metrics.

Idahoans will benefit from managed care's one-stop source of Medicaid coverage information, personalized care coordination, help choosing or connecting with providers, appointment or medication reminders, and telehealth access. They will also receive health education along with access to social benefits and supports. Services not normally covered are included as in-lieu-of services because they are cost effective and reduce the need for covered services. This could be purchase of a refrigerator so the medication is properly stored. Another benefit is the coordinated assistance for programs with community organizations.

Budgetary benefits of Medicaid managed care include improved budget predictability, reallocation of staff resources, improved expenditure effectiveness, and improved access to quality care and services for Idahoans.

Mr. Jones emphasized the need to allow plenty of time for planning, design, stakeholder engagement, implementation, and refinement. He also stressed the importance of seeking assistance from the Medicaid leaders with managed care experience and success in other states. Engaging Medicaid MCOs and providers as partners will help identify issues, develop solutions, and solve problems.

In response to committee questions, **Mr. Jones** explained Medicaid providers are currently paid less than Medicare or commercial insurance carrier plans. MCOs negotiate with providers to offer more than the fee-for-service rates. The MCOs use of their own administrative staff will impact the Department of Health and Welfare staffing needs. The subcapitated provider contracts can include fee schedules, per diems, or bonus payments as part of the performance metrics.

He said the MLR requirement of capitation expenses has to go to providers. Plans must meet a network adequacy requirement. Idaho could offer or invite capitated rates. Offering rates has proved a better decision with cases of invited rates resulting in initial plans becoming insolvent. Most states begin eligibility with low acuity populations and add greater levels of care populations after the program has been in place a number of years. Enrollees need to have a choice of plans. The MCO's carry the risk, providing the state with budget predictability when rate adjustments occur.

Russ Elbel, Assistant Vice President, Select Health, Medicaid Program, came before the committee to present information on the Select Health MCO program in Salt Lake City, Utah. The program encourages value over volume and maintains a rainy day fund based on program savings. The program began in rural counties in 2015 and expanded fully in 2020. The five largest counties integrated BH enrollees in 2020.

NCQA accreditation assures a certain standard within the health plan.

There are several features to value based payments. The integrated system shares risk and savings while driving engagement and innovation. Pay for performance addresses the total cost of care, gaps in care, and care coordination. Incentives improve service, care, engagement, and quality.

Primary care groups are held to the risk adjusted total cost of care (TCOC) target which is measured and impacted throughout the year. Annual savings are shared with the provider community.

The medical and behavioral health (BH) homes program closes care gaps through bonus payments to clinics serving primary Medicaid enrollees, adding funds to build the clinics' infrastructures.

The Medicaid restricted program for high risk, high cost enrollees provides care management. Outcomes show 50% of the members graduate out of the program in twelve months as a result of better care in the right place and a primary care physician relationship. Although an administrative time consuming process, a 50% reduction in cost is seen and lives are changed. An additional per member per month (PMPM) payment is given to providers who take these individuals into their clinics. The primary care coordinator is pivotal to obtain participants.

BH access has been improved through value based payments, home visits, telehealth, bundled payments, navigators or care managers embedded in acute settings, appointment advocates, better enrollment data, expanded networks, and claims review meetings.

Accountable Care Organizations (ACOs) invest in communities with scholarships, monetary awards, incentives programs, and grants. During the pandemic members remained engaged with community health workers and telehealth.

Answering a question, **Mr. Elbel** said incentives can be aligned to reach the state's goals.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 10:42 a.m.

Representative Vander Woude
Chair

Irene Moore
Secretary

AGENDA
HOUSE HEALTH & WELFARE COMMITTEE
9:00 A.M.
Room EW20
Wednesday, February 14, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
	<u>Medicaid Modernization</u>	
	Blue Cross of Idaho	Jenny Robertson, Director, Dual Eligible Program Drew Hobby, Executive Vice President and Chief Revenue Officer
	PacificSource	Norm Varin, Director, Idaho Government Relations Erin Fair Taylor, Vice President, Medicaid Programs

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude
Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew (Wilson)
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
Room: EW14
Phone: 332-1138
Email: hhel@house.idaho.gov

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Wednesday, February 14, 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:** Representative(s) Chew (Wilson)

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.

MOTION: **Rep. Roberts** made a motion to approve the minutes of the February 12, 2024, meeting. **Motion carried by voice vote**

Jenny Robertson, Director, Dual Eligible and Medicaid Program, Blue Cross, presented information to the committee regarding the value and impact of Medicaid managed care. She shared the history of the managed care program for the Idaho dual eligible population enrolled with the Department of Health and Welfare (DHW). There are currently 14k members in the program.

The cornerstone of managed care is the use of care managers for coordinate care, member advocacy, innovative support, and assure quality care access. A dedicated contract monitor and regular reporting requirements ensures program accountability and transparency. A dedicated community engagement team provides community outreach on a personal level.

Drew Hobby, Executive Vice President, Chief Revenue Officer, Blue Cross, discussed why managed care is perfect for Idaho. The state provides requirements of the plans with specific network standards for member access, quality of care, fiscal stability, accountability, and provider protections.

Medicaid managed care provides accountability and transparency through oversight, performance measures, regular reporting, and strict non-compliance penalties. Improved health outcomes are achieved through value added benefits, tailored incentive programs, innovative member support, and personalized care coordination.

With capitated rates, the plans take risk to deliver the quality care within the budgeted amount. Reviews assure fraud waste and abuse are discovered. Provider protections include equitable rates through state established fee schedules. Blue Cross has teams building contracts and data for providers to help them be successful.

Responding to questions **Ms. Robertson** said both the state and federal government requires reporting and oversight. The DHW contract is quite extensive and calls for regular reporting. Outcome based performance measures include quarterly cost savings reports. Some states use performance measures and incentivized plans. There are also non-compliance penalties to assure everything is being done right for the members and providers in compliance with the contract.

Some of the member incentives in other states include job interview needs, writing resumes, and heating or cooling financial support. Some of the programs expand beyond the members into the communities. Care coordinators have close relationships with members and can impact their living conditions dramatically, when they see a need.

Any provider contract termination includes a clear time frame to assure the members are still covered. The Idaho contract has reporting requirements with accountable measures and targets they must meet. In other states there are quantifiable measures, so it depends on the program. **Mr. Drew** explained while Idaho establishes the contract requirements, an external quality review organization would evaluate if the requirements have been met. There are usually financial penalties tied to any lack of performance.

Norm Varin, Government Relations, PacificSource Health Plans, appeared before the committee to present the PacificSource Oregon Medicaid Managed Care Plan, which will work very well in Idaho. PacificSource believes they do not succeed unless the providers succeed. He shared information on the history of PacificSource's health plans.

Erin Fair Taylor, Vice President, PacificSource Medicaid Programs, shared how they are working with providers to risk their comfort level to move away from volume of care to a whole person care model. Joint operating councils include providers to review roles, responsibility, and provide payment support.

The coordinated care model (CCO), which is unique to Oregon, is aligned with the model possible for Idaho's Medicaid managed care program because it works well in both urban and rural areas. CCOs have one global budget that grows at a fixed 3.4% rate. There are quality metrics and standards for safe and effective care. There is local governance and accountability for health outcomes and budget performance. Pay for value requirements include value based payment road maps.

The difference between Value Care Organization (VCO) and CCO models is found in risk. CCOs accept full risk for physical, behavioral services, dental care services, non-emergency medical transport, and social health detriments. VCOs are focused on primary and acute care.

Ms. Fair Taylor, answering a question, said some states split service contracts, which allows existing contracts.

The state contract agency selects the CCOs, who are held to five-year contracts which can be extended by the state. She explained the Health Council, its advantage, composition, and interaction with PacificSource through joint management agreements.

The communities benefit through shared savings consisting of the CCO net income minus 2% of the adjusted CCO revenue. The shared savings go to the Health Councils who invest them in such areas as workforce development, peer support programs, community infrastructure, nutrition and exercise programs, parenting classes and supports, as well as culturally-specific programs.

Oregon has a CCO contract rate of growth cap, which provides state financial predictability. Quality metrics are accountable along with a quality incentive bonus program, based on member clinical outcomes.

She noted the state drives how the Medicaid program works to assure the funding is used for the programs and services necessary to keep Idahoans healthy. This is done through community governance and transparency, along with shared prioritization and decision making.

In reply to committee questions, **Ms. Fair Taylor** said the capped growth of 3.4% can be less. Testing is ongoing to find out if it holds with inflation. The cap was a commitment by Oregon's Governor to demonstrate cost savings and bend the inflationary curve at the time. It is holding at 2% below the medical trend which existed when it was established.

The high emergency department (ED) use at the beginning of the program was a huge issue. A quality incentive measure the CCOs held to was reporting on ED utilization and incentives to reduce that percent over time. Reduction also required payments to PMPM patient centered primary care homes who could demonstrate their own performance and educate members to use them instead of the ED. This moved the focus to the right care at the right place at the right time, and assured providers had the necessary support infrastructure. This approach worked. Reduction of ED use is a part of hospital value based payments. Electronic CCO and hospital shared real time information allows immediate contact between the primary care team and the member to assure support at discharge and reconnect with a primary care home to find out why they went to the ED.

Care coordination staff comes from regional offices, the community, the member engagement group, and the centrally located telephone support office.

The integrity unit ingests outlier data and reaches out to providers to address concerns. Providers may be reported under the federal or state law provisions. They may also be given coaching or support around best case practices.

The medical loss ratio (MLR) varies annually and is now operating at approximately 87%, depending on the community. Administrative costs have a contract cap of approximately 7%. PacificSource voluntarily caps at 2% and shares anything above that cap with the communities. Several years ago they did lose money with this process.

There are sixteen CCO contracts in Oregon. Those who have been successful have strong incentive provider and community relationships, assuring everyone is going in the same direction. For those struggling, Oregon has corrective plans and sanctions. When one became insolvent another CCO absorbed that membership and risk.

Prevention is an attribute of the CCO model, with focused health councils and building primary care provider networks. The local focus is very effective in addressing individual community issues. Early pilots are addressing nutrition using part of the capitation funds for non-medical services or needs. This is expected to be supplemental to existing programs.

One of the incentive measures was tobacco cessation, with a focus on providers talking to patients and offering supports. It had mixed success.

Providers are incentivized through value-based payments and quality bonus payments. Federal law prohibits incentivizing use of the program, but members can receive low amount gift cards and community gatherings offer other items. Based on the contract, Oregon has the discretion to pay above the set floor rate. Rates are negotiated with each provider and may vary in different regions.

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 10:15 a.m.

Representative Vander Woude
Chair

Irene Moore
Secretary

AMENDED AGENDA #1
HOUSE HEALTH & WELFARE COMMITTEE
9:00 A.M.
Room EW20
Thursday, February 15, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
RS 31080C2	Self-service Storage Facility	Rep. Vander Woude
RS 31291	PANDAS/PANS Awareness	Rep. Mathias
RS 31302	Medicaid - Direct Payment	Rep. Petzke
RS 31159	Adoption and Foster Care	Rep. Blanksma
RS 31371	Behavioral Telehealth - Schools	Rep. Healey
H 439	Immunization Assessment Board	Rep. Healey
H 437	Midwifery Licensure	Nicki Chopski, DOPL
H 436	Allied Health Professionals	Nicki Chopski, DOPL
H 441	Fentanyl Testing Strips	Rep. Erickson

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude
Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew (Wilson)
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
Room: EW14
Phone: 332-1138
Email: hhel@house.idaho.gov

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Thursday, February 15, 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:** Representative(s) Mitchell, Wheeler

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.

RS 31159: **Rep. Megan Blanksma**, District 8, presented **RS 31159** to establish provisions to insure adoption and foster care placements are free from religious discrimination and provide foster children with more loving homes.

MOTION: **Rep. Redman** made a motion to introduce **RS 31159**. **Motion carried by voice vote.**

RS 31080C2: **Tim Olson**, representing the Idaho Self-Storage Association, presented **RS 31080C2**, proposed legislation to improve communication between lessees, financial institutions and storage owners.

MOTION: **Rep. Redman** made a motion to introduce **RS 31080C2**. **Motion carried by voice vote.**

RS 31291: **Rep. Chris Mathias**, District 19, presented **RS 31291**, designating October 9, 2024, as PANDA/PANS Awareness Day and addressing the lack of consistent insurance coverage for intravenous immunoglobulin (IVIG) treatments. For those in need, failure to receive IVIG causes immediate and lasting problems. This resolution asks the Department of Insurance to consult with health insurance leaders to find a route for insurance coverage.

MOTION: **Rep. Healey** made a motion to introduce **RS 31291**. **Motion carried by voice vote.**

RS 31302: **Rep. James Petzke**, District 21, presented **RS 31302** to address an upcoming need for behavioral health (BH) hospitals who will soon lose their supplemental payments.

MOTION: **Rep. Healey** made a motion to introduce **RS 31302**. **Motion carried by voice vote.**

RS 31371: **Rep. Dori Healey**, District 15, presented **RS 31371** to replace previous legislation with a change to allow the public school to furnish an unbiased list of stipulated professionals.

MOTION: **Rep. Redman** made a motion to introduce **RS 31371**. **Motion carried by voice vote.**

H 439: **Rep. Dori Healey**, District 15, presented **H 439**. The Idaho Immunization Assessment Board purchases and stores childhood vaccines in bulk at a discounted price for all of Idaho. This legislation extends the Board's sunset date to July 1, 2029.

MOTION: **Rep. Dixon(24)** made a motion to send **H 439** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Gallagher** requested she be recorded as voting **NAY.** **Rep. Healey** will sponsor the bill on the floor.

H 437: **Nicki Chopski**, Health Professions Bureau Chief, Division of Occupational and Professional License (DOPL), Executive Officer, Boards of Nursing, Medicine, and Pharmacy, presented **H 437**. With the Midwifery Practice Act sunset of July 1, 2024, DOPL wishes to consolidate the regulation of licensed midwives under the Board of Nursing (BON). Operating currently at a deficit, it is unlikely the Board of Midwifery will ever be financially solvent. The BON has sufficient resources to absorb the Board of Midwifery and effectively regulate the profession. The BON's composition has been altered to account for the consolidation.

MOTION: **Rep. Erickson** made a motion to send **H 437** to the floor with a **DO PASS** recommendation. Motion carried by voice vote. **Rep. Gallagher** requested she be recorded as voting **NAY.** **Rep. Healey** will sponsor the bill on the floor.

H 436: **Nicki Chopski**, Health Professions Bureau Chief, DOPL, Executive Officer, Boards of Nursing, Medicine, and Pharmacy, presented **H 436**. This legislation creates the Idaho Allied Health Advisory Board by combining the existing boards of dietetics, athletic training, respiratory therapy, and naturopathic medicine. The four boards will continue to be advisory to the Board of Medicine as a combined board. There will be one member from each license type on the new seven member board. Combining the boards will result in fewer board meetings, fewer board members, and lower expenses.

Responding to questions **Ms. Chopski** said two of the boards are financially in the red and two boards are in the black. Each board and license type can be tracked for revenue purposes. The Allied Health Advisory Board is expected to be financially in the black.

MOTION: **Rep. Erickson** made a motion to send **H 436** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Redman** will sponsor the bill on the floor.

H 441: **Rep. Marco Erickson**, District 33, presented **H 441** for fentanyl test strips. These strips are easily available in stores or on line. Their use for testing product has resulted in a decrease in use and overdosing. This legislation removes them from the current Idaho Code classification of paraphernalia.

Rep. Ilana Rubel, District 18, further presented **H 441**, stating the data supports the effectiveness of making this legal change. Individuals receiving the strips were found to have reduced their behavior and not inadvertently been poisoned by fentanyl.

MOTION: **Rep. Healey** made a motion to send **H 441** to the floor with a **DO PASS** recommendation.

Caden Stone, Self, testified **in support** of **H 441**. The fentanyl crisis is growing rapidly in Idaho. Along with education regarding opioids, this legislation helps save lives.

Martha Smith, Student, testified **in support** of **H 441**. The testing strips allow informed decisions and save lives by giving people a chance to pause and consider what they are about to take.

Julianne Donnelly Tzul, ACLU of Idaho, testified **in support** of **H 441**. The science supports using test strips, not jail time. Knowledge of a deadly substance will save lives. This change is prudent and effective.

**VOTE ON
MOTION:**

Chairman Vander Woude called for a vote on the motion to send **H 441** to the floor with a **DO PASS** recommendation. **Motion carried by a voice vote. Reps. Erickson and Rubel** will sponsor the bill on the floor.

Chairman Vander Woude and the committee thanked **Emma Wittman**, for serving as the committee page for the first half of the session.

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 9:48 a.m.

Representative Vander Woude
Chair

Irene Moore
Secretary

AGENDA
HOUSE HEALTH & WELFARE COMMITTEE
9:00 A.M.
Room EW20
Monday, February 19, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
RS 31085	Pharmacy Benefit Managers	Rep. Redman
RS 31088	Immunizations - Exemptions	Senator Zuiderveld Rep. Gallagher
H 398	Medicaid, legislative approval	Rep. Blanksma
H 438	Immunizations, exemptions	Rep. Healey

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude
Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew (Wilson)
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
Room: EW14
Phone: 332-1138
Email: hhel@house.idaho.gov

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

- DATE:** Monday, February 19, 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:** Representative(s) Mitchell
- 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. He then introduced **Ty Murdock**, the committee's page for the remainder of the session.
- RS 31085:** **Rep. Jordan Redman**, District 3, presented **RS 31085** for Pharmacy Benefit Managers (PBMs) who are third party administrators under contract by health prescription plans, employers, and government entities to manage prescription drug programs for health plan recipients. The PBMs decide which pharmacies are included in a prescription drug plan's network and how much the pharmacy will be paid for dispensing services. This proposed legislation establishes parameters and standards for PBMs to operate like other businesses in Idaho.
- MOTION:** **Rep. Roberts** made a motion to introduce **RS 31085. Motion carried by voice vote.**
- RS 31088:** **Rep. Jacyn Gallagher**, District 9, presented **RS 31088** to change the immunization requirements for minors to include eighteen year old high school students and allows an opt-out when they go to a college or trade school.
- MOTION:** **Rep. Redman** made a motion to introduce **RS 31088. Motion carried by voice vote.**
- H 398:** **Rep. Megan Blanksma**, District 8, presented **H 398**. This legislation requires the Department of Health and Welfare (DHW) to receive legislative approval prior to seeking or implementing a waiver. This does not impact existing waivers and state plan amendments.
- Answering a question, **Rep. Blanksma** explained there has never been an incident when the waiver or state plan amendments where an emergency with approval needed in less than twelve months.
- MOTION:** **Rep. Gallagher** made a motion to send **H 398** to the floor with a **DO PASS** recommendation.
- Christine Pisani**, Idaho Council on Developmental Disabilities, testified in **opposition** to **H 398**, expressing concerns regarding implementation, waiver renewal time frames, public comment changes, timely legislative responses, and delays in implementation.

In response to questions, **Ms. Pisani** explained the various transparent time frames for public postings, hearings, and amendments to any waiver. The waivers are detailed applications and the Centers for Medicaid Services takes their time for approval or denial while providing back and forth comments regarding what they want included, removed, or what is out of compliance.

In closing, **Rep. Blanksma** said the heightened legislative oversight is needed as evidenced by two DHW policies with fiscal state consequences set recently without coming before the legislature. This legislation pertains to only new waivers, state plan amendments, and programs. Renewals are not included.

MOTION: Due to the departure of **Rep. Gallagher** who made the original motion, **Rep. Wheeler** made a motion to send **H 398** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Reps. Roberts, Rubel,** and **Wilson** requested they be recorded as voting **NAY.** **Rep. Blanksma** will sponsor the bill on the floor.

H 438: **Rep. Dori Healey**, District 15, presented **H 438** to provide parental school immunization notices with transparency and clarity. Each year school districts send out a notice to parents regarding Idaho Code 39-401, immunizations required for school children. This legislation assures the schools are sending out requirements citing the entire code.

MOTION: **Rep. Redman** made a motion to send **H 438** to the floor with a **DO PASS** recommendation.

Grace Howat, Idaho Family Policy Center, testified **in support** of **H 438.** Parents, not the state, are responsible for raising their children. This legislation assures they are empowered with the complete information so they can make the best decision for their children.

VOTE ON MOTION: **Chairman Vander Woude** called for a vote on the motion to send **H 438** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Reps. Roberts, Rubel,** and **Wilson** requested they be recorded as voting **NAY.** **Rep. Healey** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 9:28 a.m.

Representative Vander Woude
Chair

Irene Moore
Secretary

AGENDA
HOUSE HEALTH & WELFARE COMMITTEE
9:00 A.M.
Room EW20
Tuesday, February 20, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
H 499	Idaho dietary supplement act	Rep. Gallagher
H 525	Health boards, duties	Rep. Gallagher
H 527	Pharmacy, practice	Rep. Redman

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude
Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew (Wilson)
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
Room: EW14
Phone: 332-1138
Email: hhel@house.idaho.gov

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Tuesday, February 20, 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.

H 499: **Rep. Jacyn Gallagher**, District 9, presented **H 499**, the Dietary Supplement Act to protect access to vitamins and supplements, assure Idaho's sovereignty from federal overreach, and guarantee free market access. A growing amount of documentation supports a link between ingestion of dietary supplements and the prevention of disease. This legislation addresses the concern regarding future federal legislation to increase supplement regulation, which would drive smaller manufacturers out of business. Supplement regulations have been in Idaho Code for 29 years. Dietary supplements are not drugs. This legislation does not remove the ability to add new substances to the controlled substances schedules.

MOTION: **Rep. Healey** made a motion to send **H 499** to the floor with a **DO PASS** recommendation.

Rep. Rubel expressed agreement with the concept and concern it sends a confusing message that Idaho can defy federal law.

Daniel Freedman, Self, testified **in support** of **H 499**. It is important to have a number of healthcare options, including less risky natural sources. Federal regulation changes have already impacted supplement availability. It is Idaho's job to preserve the access to natural, safe supplemental substances as a fundamental right of all Idahoans.

Laura Demaray, Self, testified **in support** of **H 499**. She expressed concern regarding production of drugs in China or other countries. This legislation supports diverse healthcare models and is a part of Idaho's robust healthcare program.

Due to technical difficulties **Mary Kay Alix** was unable to testify remotely.

Chairman Vander Woude announced she signed up to testify **in support** of **H 499**.

VOTE ON MOTION: **Chairman Vander Woude** called for a vote on the motion to send **H 499** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Reps. Rubel, and Wilson** requested they be recorded as voting **NAY**. **Rep. Gallagher** will sponsor the bill on the floor.

H 525: **Rep. Jacyn Gallagher**, District 9, presented **H 525**. This legislation for the powers and duties of the Public Health District boards makes a verbiage change to the phrase "to do all things required" by replacing "all" with "necessary and reasonable."

Sen. Brian Lenney, District 13, further presented **H 525**. This limit for the boards of the public health districts insures they guide as trusted advisors instead of going into an unchecked power role. It adds a layer of accountability.

MOTION: **Rep. Redman** made a motion to send **H 525** to the floor with a **DO PASS** recommendation.

Laura Demaray, Self, testified **in support** of **H 525**. There are conflicting ideas of who has control over the ability to make decisions for health districts. This legislation clears up that issue.

Daniel Freedman, Self, testified **in support** of **H 525**. The health boards serve well with advice and good, sound information which allows Idahoans to make their own healthcare choices. Voting by citizens holds other officials accountable, but not the health boards.

Rep. Blanksma informed the committee the boards are populated by elected County Commissioners. Only if a County Commissioner chooses a representative, is there someone on the board who is not elected.

Due to technical difficulties **Mary Kay Alix** was unable to testify remotely. **Chairman Vander Woude** announced she signed up to testify **in support** of **H 525**.

David Pettinger, Self, testified **in support** of **H 525**, stating the previous use of "all" has been demonstrated to include the use of law enforcement and shutting down district health offices.

VOTE ON MOTION: **Chairman Vander Woude** called for a vote on the motion to send **H 525** to the floor with a **DO PASS** recommendation. **Rep. Rubel** stated she is **in support** of **H 525** but may change her vote on the floor. **Motion carried by voice vote.** **Rep. Wilson** requested to be recorded as voting **NAY.** **Rep. Gallagher** will sponsor the bill on the floor.

H 527: **Rep. Redman**, District 3, presented **H 527**, legislation to move the regulatory Board of Pharmacy reforms into statute in order to make them permanent. There is no change to scope of practice, fees, or authority.

MOTION: **Rep. Healey** made a motion to send **H 527** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Redman** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 9:34 a.m.

Representative Vander Woude
Chair

Irene Moore
Secretary

AMENDED AGENDA #1
HOUSE HEALTH & WELFARE COMMITTEE
9:00 A.M.
Room EW20
Wednesday, February 21, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
RS 31311	Public Benefits - Lawful Presence	Rep. Barbieri
RS 31149	Child - Mental Health - Disclosures	Rep. Young
H 489	Essential caregivers, visitation	Rep. Young
RS 31379	Syringe - Needle Exchange - Repeal	Rep. Vander Woude
H 490	Criminal background checks	Katie Stuart, DOPL
H 528	Certified family homes	Steven Millward, IDHW

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude
Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew (Wilson)
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
Room: EW14
Phone: 332-1138
Email: hhel@house.idaho.gov

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Wednesday, February 21, 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:** Representative(s) Blanksma, Mitchell

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. He welcomed **Rep. Egbert** who is substituting for **Rep. Chew**.

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

RS 31379: **Rep. John Vander Woude**, District 22, presented **RS 31379** to repeal the syringe and needle exchange program.

MOTION: **Rep. Redman** made a motion to introduce **RS 31379**. **Motion carried by voice vote.** **Reps. Roberts, Rubel, and Egbert** requested they be recorded as voting **NAY**.

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

RS 31311: **Rep. Jordan Redman**, District 3, presented **RS 31311**. This proposed legislation removes public benefits for illegal immigrants. It does not target businesses. It does eliminate the use of taxpayer dollars for those individuals illegally in Idaho.

MOTION: **Rep. Healey** made a motion to introduce **RS 31311**. **Motion carried by voice vote.** **Rep. Roberts, Rubel and Egbert** requested they be recorded as voting **NAY**.

RS 31149: **Rep. Julianne Young**, District 30, presented **RS 31149** to clarify and insure Medicaid recipients can access the necessary records in order to qualify for services.

MOTION: **Rep. Healey** made a motion to introduce **RS 31149**. **Motion carried by voice vote.**

H 489: **Rep. Julianne Young**, District 30, presented **H 489**. This legislation includes immediate family members as essential caregivers for patients in hospitals or health care facilities. The patient can remove anyone from the essential caregiver approved list. The inclusion aligns with essential caregiving within the surrogate decision maker statute. For patients in law enforcement or prison custody, stipulation is made for the governing law enforcement statute to take precedence.

MOTION: **Rep. Healey** made a motion to send **H 489** to the floor with a **DO PASS** recommendation.

Grace Howat, Idaho Family Policy Center, testified **in support** of **H 489**. Many individuals were prohibited from seeing their loved ones while in hospitals during the pandemic. Denying such visits leads to a variety of issues for patients while in or being discharged from the hospitals. This respects the rights of patients and their families.

Due to technical difficulties **Mary Kay Alix** was unable to testify remotely. **Chairman Vander Woude** announced she signed up to testify **in support of H 489**.

VOTE ON MOTION:

Chairman Vander Woude called for a vote on the motion to send **H 489** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Young** will sponsor the bill on the floor.

H 490:

Katie Stuart, Division of Occupational and Professional Licenses (DOPL), Bureau Chief, Administrative Bureau, presented **H 490**. This legislation for fingerprinting eliminates the required board form, removes the board review, and combines the requirements for each board into a new section of code. It also clarifies the responsibility of the Division of Administration without changing any requirements. There is no fiscal impact on dedicated, federal, or general funds.

MOTION:

Rep. Rubel made a motion to send **H 490** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Redman** will sponsor the bill on the floor.

H 528:

Steven Millward, Program Manager, Certified Family Home (CFH) Program, Division of Licensing and Certification, Department of Health and Welfare (DHW), presented **H 528**. The changes benefit residents by adding standards for developing their service plans. It also clarifies what they can expect for a safe, sanitary, and comfortable living environment. All of the changes enhance the rights of residents.

For providers, the resident limit has been increased from two residents. It also gives them the ability to charge room and board to residents, other family members, and staff, with a correction to the amount which can be charged. Additional stipulation has been made for provider sanctions from certificate revocation during non-emergency situations. The changes also allow the DHW to issue more than one provisional certificate in a twelve-month period. Other changes create different resident assessment criteria for various programs, allow application termination, and affirm the certifying agent's ability during a complaint investigation.

Joanne Basco, Self, CFH Caregiver, testified **in support of H 528**. The changes remove repetition and bring other items up to legal expectations. It is very easy to read and understand. The changes will not affect the providers and will clarify what is required of them.

Sue Maben, CFH Provider, Member, CFH Statewide Council, testified **in support of H 528**. This legislation was created with the input of CFH providers, who play a crucial role that is a labor of the heart. Clarification helps assure the providers have the appropriate equipment, resources, and follow HIPAA. It also allows residents to participate in their plans and living conditions.

Rachelle Tierney, Idaho Council on Developmental Disabilities, testified **in support of H 528**. She was happy the improved statute strengthens the rights of residents and keeps them free from exploitation.

MOTION:

Rep. Healey made a motion to send **H 528** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Erickson** will sponsor the bill on the floor.

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 9:29 a.m.

Representative Vander Woude
Chair

Irene Moore
Secretary

AMENDED AGENDA #2
HOUSE HEALTH & WELFARE COMMITTEE
9:00 A.M.
Room EW20
Thursday, February 22, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
RS 31431	Naturopathic Physicians - Dual Licensure	Rep. Blanksma
RS 31444	Public Assistance - Pregnancy	Rep. Blanksma
H 542	International physicians	Rep. Wheeler
	Medicaid Budget	Alex Williamson, Legislative Services Office

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude
Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew (Egbert)
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
Room: EW14
Phone: 332-1138
Email: hhel@house.idaho.gov

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Thursday, February 22, 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 (Egbert), Rubel, Roberts

**ABSENT/
EXCUSED:** Representative Mitchell

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.

MOTION: **Rep. Roberts** made a motion to approve the minutes of the February 13, 15, and 20, 2024, meetings. **Motion carried by voice vote.**

H 542: **Rep. Josh Wheeler**, District 35, presented **H 542**. This legislation addresses the physician shortage by creating a pathway to licensure for internationally trained physicians. Applicants must meet the criteria for provisional licensure, pass the stipulated exams, attend recognized foreign medical schools, and receive board approval. A three-year provisional license is established allowing practice with a supervising physician. After the three-year period, a licensure application can be submitted. There are international physicians already in Idaho wanting to work.

MOTION: **Rep. Healey** made a motion to send **H 542** to the floor with a **DO PASS** recommendation.

Jonathan Wolfson, Chief Legal Officer, Cicero Institute, testified **in support of H 542**. This helps individuals, often the best doctors in the world who have been practicing for many years, come to Idaho. It also allows trained individuals who are already living in Idaho to be able to practice medicine.

VOTE ON MOTION: **Chairman Vander Woude** called for a vote on the motion to send **H 542** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Wheeler** will sponsor the bill on the floor.

Alex Williamson, Budget and Policy Analyst, Legislative Services, provided information on the Medicaid budget history and requests for the current and upcoming year.

The Medicaid budget consists of five programs. One is for administration and management. The remaining four cover Medicaid's coordinated, enhanced, basic, and expansion plans.

The Division of Medicaid is authorized 213 full time personnel (FTP) within the administration and management costs. They reported five vacant positions as of February 1, 2024.

Estimated expenditures include the \$4.68B already appropriated by the legislation for fiscal year (FY) 2024. She noted the recent year increases were results of the pandemic and public health emergencies which froze enrollees on the expanded plan and caused increased costs for services. Mid FY 2024 adjustments include a total funds rescission of approximately \$277M, which will, upon approval, decrease FY 2024 to roughly \$4.3B. There is a visible cost flattening as Idaho leaves the pandemic.

Of the FY 2023 total 448,004 plan participants, 43% (189,948) are in the basic child plan, 32% (142,062) are in the expansion plan, 8% (36,818) are in the basic adult plan, 7% (32,883) are in the coordinated plan, 6% (27,539) are in the enhanced child plan, and 4% (18,754) are in the enhanced adult plan.

Responding to questions, **Ms. Williamson** explained a drop in the expansion population resulted from the redeterminations, indicated in the FY 2024 numbers, and is reflected in the agency's budget request. The redetermination began at the end of FY 2023.

Ms. Williamson noted several items within the 2025 Governor's Budget Recommendations, which are onetime mid-year adjustment supplementals for FY 2024. Budget requests are submitted in September of the prior year and based on forecasts. With actual data, the agency determined there would be excess funds which are reflected in the onetime supplemental amount. The Medicaid Management Information System (MMIS) is in procurement year two. The cost of the system has a 90/10 federal split. In 2023 the legislature put aside the 10% state portion into a dedicated fund. This request for \$132,378,000 includes both the 10% state and the 90% federal funding.

Ms. Williamson explained, upon questioning, the current vendor annual increase covers the current system until the new system is on line. The work requirement waiver consultant line item is a specialist agency at a 50/50 funding split.

The ongoing enhancement nondiscretionary adjustments are a result of the changing Idaho federal medical assistance percentages (FMAP) rate because Idaho is doing better than other states. There is an FMAP floor rate which will assure Idaho never bears the full Medicaid program cost. The maintenance budget did not include any nondiscretionary adjustments, which only impact 2025 appropriations. The onetime supplemental rescission impacts 2024, so they will not affect the same fiscal year.

The hospital assessment fund reflects a technical correction to move funds appropriated to the wrong dedicated fund. It has a net zero impact.

RS 31431: **Rep. Megan Blanksma**, District 8, presented **RS 31431** for Naturopathic Physician licensing.

MOTION: **Rep. Wheeler** made a motion to introduce **RS 31431**. **Motion carried by voice vote.**

RS 31444: **Rep. Megan Blanksma**, District 8, presented **RS 31444**, proposed legislation to extend Medicaid postpartum care coverage for women to twelve months.

MOTION: **Rep. Wheeler** made a motion to introduce **RS 31444**. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee the meeting adjourned at 9:57 a.m.

Representative Vander Woude
Chair

Irene Moore
Secretary

AGENDA
HOUSE HEALTH & WELFARE COMMITTEE
9:00 A.M.
Room EW20
Monday, February 26, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
HCR 27	PANDA/PANS Awareness	Rep. Mathias
H 526	Pelvic Exams - Unconscious Patients	Rep. Green
H 578	Adoption And Foster Care	Rep. Blanksma
RS 31517	Medicaid Waivers	Rep. Vander Woude

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude
Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew (Egbert)
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
Room: EW14
Phone: 332-1138
Email: hhel@house.idaho.gov

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Monday, February 26, 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 (Hansen), Rubel, Roberts

**ABSENT/
EXCUSED:** Representative(s) Dixon (24)

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

MOTION: **Rep. Roberts** made a motion to approve the minutes of the February 19 and 21, 2024, meetings. **Motion carried by voice vote.**

H 578: **Rep. Megan Blanksma**, District 8, presented **H 578** to address religious discrimination for adoption and foster care. This is very prescriptive regarding what is religious discrimination and provides a claim limitation.

MOTION: **Rep. Healey** made a motion to send **H 578** to the floor with a **DO PASS** recommendation.

David Ripley, Executive Director, Idaho Chooses Life, testified **in support of H 578**. This improvement of the Idaho foster care system makes the system easier, cheaper and less burdensome while assuring loving placement homes.

**VOTE ON
MOTION:** **Chairman Erickson** called for a vote on the motion to send **H 578** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Blanksma** will sponsor the bill on the floor.

RS 31517: **Rep. John Vander Woude**, District 22, presented **RS 31517**, a proposed resolution to ask the Department of Health and Welfare (DHW) to continue to seek waivers for the insurance exchange, cost sharing, and work requirements.

MOTION: **Rep. Blanksma** made a motion to introduce **RS 31517**.

Concern was expressed regarding the policing cost eclipsing any benefits.

**VOTE ON
MOTION:** **Chairman Erickson** called for a vote on the motion to introduce **RS 31517**. **Motion carried by voice vote.** **Reps. Roberts, Hansen, and Rubel** requested they be recorded as voting **NAY**.

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

HCR 27: **Rep. Chris Mathias**, District 19, presented **HCR 27**. This resolution assists the 2,000 Idaho families who have at least one child suffering from PANDA/PANS, with some needing intravenous immunoglobulin (IVIG) treatment. Some insurance companies do not cover the treatment, burdening both those companies who do cover it and the families. The Department of Insurance (DOI) will work with insurance industry leaders to address the lack of this coverage. It also declares October 9, 2024, to be PANDA/PANS day. This legislative concurrent resolution approach has been used successfully to address previous needs of Idahoans.

MOTION: **Rep. Healey** made a motion to send **HCR 27** to the floor with a **DO PASS** recommendation.

Jenny Reese Davis, Self, testified **in support** of **HCR 27**. She explained the array of symptoms her daughter displayed at the beginning of her diagnosis. After her third IVIG treatment her sensory needs normalized, she once again attended school, and her illness was in remission. Since moving to Idaho with the subsequent insurance denial and exhausted appeals, her daughter is in the throes of the illness with worsening behavior as her brain is on fire from a faulty immune system. IVIG is the only key to get her back. The treatment cost without insurance is over \$8k a month. Families suffer when a child cannot receive treatment and they watch their child deteriorate.

Answering a committee question, **Ms. Reese Davis** said Blue Cross Blue Shield was the insurer and they denied the request stating it is still deemed as experimental treatment, even though it had previously proven successful.

Brian Festa, Self, testified **in support** of **HCR 27**. He described his son's severe symptoms and the need to obtain a different diagnosis in order to receive the IVIG treatment. The delays during the process resulted in an initially mild case escalating to severe at the time of IVIG treatment. Timely treatment without endless insurance battles or taking out second mortgages is very important to the families and the children. Many children end up in care facilities or take their lives. Self funded insurance plans, which are common employer sponsor plans, must also be included.

Rep. Rubel shared the state law cannot regulate self insured plans. However, in her experience, when state law requires something for non-self insured plans, the self insured plans generally fall in line.

Gina Nilsson, Self, testified **in support** of **HCR 27**, sharing her daughter's condition, which began at age thirteen. The IVIG treatment alleviated her daughter's suffering and she was able to eat again, attend college and is doing well. Please assure all children can get IVIG when it is medically necessary.

VOTE ON MOTION: **Chairman Vander Woude** called for a vote on the motion to send **HCR 27** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Mathias** will sponsor the bill on the floor.

H 526: Due to the sponsor not appearing before the committee, **H 526** will carry over to the meeting of Tuesday, February 27, 2024, at 9:00 a.m.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 9:24 a.m.

Representative Vander Woude
Chair

Irene Moore
Secretary

AMENDED AGENDA #2
HOUSE HEALTH & WELFARE COMMITTEE
9:00 A.M.
Room EW20
Tuesday, February 27, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
H 526	Pelvic Exams - Unconscious Patients	Rep. Green
H 577	Medicaid - Directed Payments	Rep. Petzke
RS 30988	Organ Harvesting - Genetic Tech	Rep. Redman
H 596	Pharmacy Benefit Managers	Rep. Redman
RS 31445	Prescription Drugs	Rep. Redman
	<u>Suicide Prevention Day</u>	
	988 Hotline Funding Issues	Lee Flinn, Director, Idaho Suicide & Crisis Hotline
	Five-Year Plan Update	Stewart Wilder, President, Idaho Suicide Prevention Coalition

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude
Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
Room: EW14
Phone: 332-1138
Email: hhel@house.idaho.gov

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Tuesday, February 27, 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 (Hansen), Rubel, Roberts

**ABSENT/
EXCUSED:** Representative Wheeler

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.

H 526: **Rep. Brooke Green**, District 18, presented **H 526**, which codifies the best practices for allowing medical training students to perform pelvic exams on unconscious patients, insuring the patient agrees to participate in this form of educational instruction.

MOTION: **Rep. Healey** made a motion to send **H 526** to the floor with a **DO PASS** recommendation.

Molly Montague, RAINN, testified in support of **H 526** which insures patients are allowed informed consent before the exams are performed. For victims of rape, the consent assures they are not re-traumatized for non-medically necessary purposes.

VOTE ON MOTION: **Chairman Vander Woude** called for a vote on the motion to send **H 526** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Green** will sponsor the bill on the floor.

H 577: **Rep. James Petzke**, District 21, presented **H 577**. In July, 2024, behavioral hospitals will no longer qualify for the upper payment limit (UPL) supplemental payments. There is a Centers for Medicaid Services (CMS) program similar to the UPL available to offset the costs of treating Medicaid patients. This legislation authorizes the Department of Health and Welfare (DHW) to apply for this program within the submission deadline.

David Lehman, Cottonwood Creek Behavioral Health Hospital, further presenting **H 577**, stating this move is in alignment with Idaho's plan to increase care and improve outcomes.

MOTION: **Rep. Blanksma** made a motion to send **H 577** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Petzke** will sponsor the bill on the floor.

RS 30988: **Rep. Jordan Redman**, District 3, presented **RS 30988**, proposed legislation to protect DNA data from being collected by the Chinese government.

MOTION: **Rep. Healey** made a motion to introduce **RS 30988. Motion carried by voice vote.**

H 596: **Rep. Jordan Redman**, District 3, presented **H 596** which protects pharmacies through increased Pharmacy Benefit Manager (PBM) transparency.

Pam Eaton, President, CEO, Idaho State Pharmacy Association, Idaho Retailers Association, continued the presentation of **H 596**. With little existing regulation, this legislation provides the guardrails necessary for transparent PBM reporting to the Department of Insurance (DOI).

During questioning **Ms. Eaton** said the additional full time employee will have the expertise to process the required in-depth reporting to assure compliance. Other state investigations into the distribution process have highlighted this lack of transparency as a high cost driver.

Marcus Hurst, Pharmacy Director, Broulims Pharmacy, testified **in support of H 596** stating the PBM take it or leave it contracts control the market. PBMs own and operate insurance companies, prescription mail order, as well as brick and mortar facilities.

Wil Edwards, Pharmacist, Northwest Pharmacy owner, testified **in support of H 596**. The DOI must regulate the business due to the multiple undisclosed ways PBMs make money.

Steve Thomas, Idaho Association of Health Plans, testified **in opposition to H 596** stating concerns regarding the consequences of this government mandate, member cost increases, and the accuracy of the fiscal note.

Korey Kreider, Pharmacist, Medicine Man Pharmacy, testified **in support of H 596**, explaining the rebates are one way the PBMs make money and regulate formularies. This legislation will positively reset the market, impacting both premiums and patients.

Melinda Merrill, Northwest Grocery Association, testified **in support of H 596**. Other statute changes have proven insufficient. While pharmacies and insurance companies are highly regulated, the middleman PBMs have little regulation.

Dr. LuGina Mendez-Harper, Pharmacist, Prime Therapeutics, testified **in opposition to H 596**. Many of the provisions contained within this complex legislation will increase costs and have patient safety issues. More time is needed to negotiate with the pharmacists to find solutions.

Richard de Blaquiére, White Cross Pharmacy, testified **in support of H 596**. Changes in other states have proven successful for both pharmacies and PBMs.

In closing remarks **Rep. Redman** declared Rule 80. This is for better transparency and a way to keep rural pharmacies available for their patients.

MOTION: **Rep. Healey** made a motion to send **H 596** to the floor with a **DO PASS** recommendation.

SUBSTITUTE MOTION: **Rep. Blanksma** made a motion to **HOLD H 596** in committee for time certain, March 5, 2024.

Committee members shared views regarding regulation and the need for more information to address this comprehensive legislation.

VOTE ON SUBSTITUTE MOTION: **Chairman Vander Woude** called for a vote on the substitute motion to **HOLD H 596** in committee for time certain March 5, 2024.

ROLL CALL VOTE: Stating the voice vote was unclear, **Chairman Vander Woude** requested a roll call vote on the substitute motion. **Substitute motion failed by a vote of 6 AYE, 6 NAY, and 1 Absent/Excused. Voting in favor of the motion: Reps. Erickson, Blanksma, Kingsley, Mitchell, Dixon(24), and Gallagher. Voting in opposition to the motion: Reps. Healey, Redman, Hansen, Rubel, Roberts, and Vander Woude. Rep. Wheeler** was absent/excused.

VOTE ON ORIGINAL MOTION:

Chairman Vander Woude called for a vote on the original motion to send **H 596** to the floor with a **DO PASS** recommendation.

ROLL CALL VOTE:

Stating the voice vote was unclear, **Chairman Vander Woude** requested a roll call vote on the original motion. **Motion carried by a vote of 7 AYE, 5 NAY and 1 Absent/Excused. Voting in favor of the motion: Reps. Erickson, Healey, Redman, Hansen, Rubel, Roberts, and Vander Woude. Voting in opposition to the motion: Reps. Blanksma, Kingsley, Mitchell, Dixon(24), and Gallagher. Rep. Wheeler** was absent/excused. **Rep. Redman** will sponsor the bill on the floor.

RS 31445:

Rep. Jordan Redman, District 3, presented **RS 31445**, proposed legislation to preserve the 340b drug discount program by prohibiting PBMs from placing restrictions.

MOTION:

Rep. Healey made a motion to introduce **RS 31445. Motion carried by voice vote.**

Lee Flinn, Director, Idaho Suicide & Crisis Hotline, provided an update on the 988 lifeline which went live nationwide in 2022. Use has helped Idahoans receive mental health crisis help without law enforcement involvement. Three specialized options on the hotline assist persons speaking Spanish, veterans, and the LGBTQ community. Offering an entry point to Idaho's behavioral health system, they also help families and friends. Referrals include regional mobile crisis teams, local hospitals, and community crisis centers. Individuals in crisis talk to specialists who can de-escalate the situation, help them create safety plans and stay safe. The hotline serves all of Idaho's counties.

Stewart Wilder, Co-chairman, Idaho Suicide Prevention Coalition, presented the 2024-2028 Suicide Prevention Five-Year Plan update, which consolidate the original twelve goals to nine goals. Three working groups will concentrate on prevention, intervention, and postvention. The new plan makes the advocacy and policy work group a stand-alone group. The goal of the plan is to measurably reduce the Idaho suicide rate by the end of 2028.

The high at-risk populations are youth, middle aged males ages 25 to 54, veterans, and seniors. The actual death rate continues to increase with the highest injury mechanism being firearms. It is important to continue responsible firearm ownership education. The plan's focus is on education, awareness, access to mental health services, firearm safety, collaboration, data driven approaches, and evaluative metrics to insure Idaho is moving in the right direction to decrease the suicide rates in all groups.

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 10:48 a.m.

Representative Vander Woude
Chair

Irene Moore
Secretary

AGENDA
HOUSE HEALTH & WELFARE COMMITTEE
9:00 A.M.
Room EW20
Wednesday, February 28, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
S 1272	Safe Haven Act - Newborns	Senator VanOrden
RS 31418	Medicaid Ethics Defense Act	Rep. Wisniewski
H 597	Immunizations - Exemptions	Rep. Gallagher
H 615	Public benefits, lawful presence	Rep. Redman

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude
Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew (Hansen)
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
Room: EW14
Phone: 332-1138
Email: hhel@house.idaho.gov

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Wednesday, February 28, 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 (Hansen), 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.

MOTION: **Rep. Dixon(24)** made a motion to approve the minutes of the February 14 and 26, 2024, meetings. **Motion carried by voice vote.**

S 1272: **Sen. Julie Van Orden**, District 30, presented **S 1272** for safe haven baby boxes. Blackfoot will have the first box installed in the spring. These newborn safety devices are voluntary, staffed at all times, have exterior access, and provide interior access to allow safe retrieval of the infant within the building. The device must be part of the building, temperature controlled, equipped with an alarm system, and have conspicuous, visible interior access.

Hailey Daley, Grove Creek Medical Center, testified in support of **S 1272**. This anonymous last resort option for the birth parents has proven highly effective in preventing abandoned baby deaths in other states. Including education on the legal options for birth parents will also make a difference.

MOTION: **Rep. Mitchell** made a motion to send **S 1272** to the floor with a **DO PASS** recommendation.

Grace Howat, Policy Assistant, Idaho Family Policy Center, testified in support of **S 1272**. It is tragic when a mother decides to abandon her baby. This legislation assures communities can install the safe haven boxes and protect these innocent lives.

VOTE ON MOTION: **Chairman Vander Woude** called for a vote on the motion to send **S 1272** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Erickson** will sponsor the bill on the floor.

RS 31418: **Rep. Tony Wisniewski**, District 5, presented **RS 31418**. This proposed legislation is a revamp of **H 308** from 2023 for medical freedom of conscience.

MOTION: **Rep. Redman** made a motion to introduce **RS 31418**.

ROLL CALL VOTE: **Rep. Gallagher** requested a roll call vote on **RS 31418**. **Motion carried by a vote of 10 AYE, 2 NAY and 1 Absent/Excused.** Voting in favor of the motion: **Reps. Erickson, Kingsley, Mitchell, Dixon(24), Gallagher, Healey, Redman, Wheeler, Rubel, and Vander Woude.** Voting in opposition to the motion: **Reps. Hansen and Roberts.** **Rep. Blanksma was absent/excused.**

H 597: **Rep. Jacyn Gallagher**, District 9, presented **H 597** to improve high school, college, and trade school immunization requirements to exempt students who are eighteen years of age or older.

Answering questions, **Rep. Gallagher** anticipates complete cooperation to follow the code change. Private schools, although businesses, are included in other educational regulations. This provides clarification for issues such as meningitis vaccination requirements.

Grace Howat, Idaho Family Policy Center, testified **in support** of **H 597**. This legislation prevents coercion of individuals continuing their education by protecting religious liberty and medical freedom.

Sara Clendenon, Health Freedom Idaho, testified **in support** of **H 597**, which addresses a gap in the exemption laws.

Miste Karlfeldt, Health Freedom Idaho, testified **in support** of **H 597**. The private schools should support Idaho's educational exemption statutes.

Amy McMahon, Self, testified **in support** of **H 597**. Considered adults, these students should have the ability to make their own choices.

MOTION: **Rep. Redman** made a motion to send **H 597** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Reps. Roberts, Rubel, Hansen, Wheeler, and Dixon(24)** requested they be recorded as voting **NAY.** **Rep. Gallagher** will sponsor the bill on the floor.

H 615: **Rep. Redman**, District 3, presented **H 615** which removes access to non-emergency public benefits for illegal individuals. It does not prohibit access to emergency medical care or any state action necessary for protecting life and public safety.

Rep. Josh Tanner, District 14, further presented **H 615**. The existing Department of Health and Welfare (DHW) eligibility for family and children services includes non-citizen eligibility based on Code Federal Regulations (CFR). This legislation includes more stringent requirements than those provided in the CFR.

In answer to questions, **Sen. Phil Hart**, an additional cosponsor, said the DHW expects no change to their current practice with the passage of this legislation.

MOTION: **Rep. Gallagher** made a motion to send **H 615** to the floor with a **DO PASS** recommendation.

Julianne Donnelly Tzul, ACLU of Idaho, testified **in opposition** to **H 615**. Medicaid preventative care insures children are alive and healthy. It is also essential for mothers carrying future U.S. citizens.

Kole Kracaw, Self, testified **in opposition** to **H 615**. The systematic alien verification (SAV) used for the lawful presence verification can take up to three months, delaying services.

Estefania Mondragon, Executive Director, Ponder of Idaho, testified **in opposition** to **H 615**. The Latino community is concerned this legislation will increase the existing fear which deters all immigrants from programs, including natal care.

Dexton Lake, Idaho Farm Bureau Federation, testified **in support** of **H 615**, stating this legislation is in line with the Farm Bureau's policy.

Criseida G. Cuevas Cuevas, Self, testified **in opposition** to **H 615**. He shared why older family members seek only emergency care. This is an issue impacting Idaho's public health risk.

SUBSTITUTE MOTION: **Rep. Dixon(24)** made a substitute motion to **HOLD H 615** in committee.

In closing remarks **Sen. Hart** and **Rep. Redman** reiterated this legislation pertains to illegal persons seeking benefits, not the children who are U.S. citizens at birth.

**VOTE ON
SUBSTITUTE
MOTION:**

Chairman Vander Woude called for a vote on the substitute motion to **HOLD H 615** in committee. **Motion carried by voice vote.**

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 10:43 a.m.

Representative Vander Woude
Chair

Irene Moore
Secretary

AMENDED AGENDA #1
HOUSE HEALTH & WELFARE COMMITTEE
9:00 A.M.
Room EW20
Thursday, February 29, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
RS 31536	Medicaid Stabilization Budget Fund	Rep. Vander Woude
H 616	Child - Mental Health Disclosures	Rep. Young
H 617	Syringe & Needle Exchange Program - Repeal	Rep. Vander Woude

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude
Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew (Hansen)
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
Room: EW14
Phone: 332-1138
Email: hhel@house.idaho.gov

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Thursday, February 29, 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 (Hansen), 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.

H 616: **Rep. Jordan Redman**, District 3, presented **H 616**, legislation to allow parents to access medical records for a child 14 years of age or older when it is needed for Medicaid services.

MOTION: **Rep. Healey** made a motion to send **H 616** to the floor with a **DO PASS** recommendation.

Sean Nixon, Mental Health Services Provider, testified **in support** of **H 616**. This will help clear up confusion regarding confidentiality for minors.

Laura Wallis, Self, testified **in support** of **H 616**. This would align with federal documentation regulations and acknowledge the parental right to the information.

Brittany Shipley, Self, testified **in support** of **H 616** because it removes a current barrier, allowing parents to further advocate for timely and critical care for their children.

VOTE ON MOTION: **Chairman Vander Woude** called for a vote on the motion to send **H 616** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Young** will sponsor the bill on the floor.

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

RS 31536 **Rep. John Vander Woude**, District 22, presented **RS 31536** to establish a Medicaid stabilization fund to house unspent Medicaid allocations and discontinue the practice of using the extra money in other areas within the Department of Health and Welfare (DHW).

MOTION: **Rep. Blanksma** made a motion to introduce **RS 31536**. **Motion carried by voice vote.**

H 617: **Rep. John Vander Woude**, District 22, presented **H 617**, to repeal the Syringe and Needle Exchange Act. Along with the recent raid on two facilities for alleged controlled substances on the premises, the oversight and reporting have been inadequate. It is time to repeal the program and start over with the necessary, improved oversight.

MOTION: **Rep. Blanksma** made a motion to send **H 617** to the floor with a **DO PASS** recommendation.

Amber LaRocco, Self, testified **in opposition** to **H 617**. Without this program individuals will not have access to vital resources.

Amy McKenzie, Self, Substance Abuse Treatment Counselor, testified **in opposition to H 617** stating the program also addresses the spread of disease through early detection testing. This marginalized community needs support networks.

Norma Jaeger, Recovery Idaho, testified **in opposition to H 617**, suggesting a word change from "may" to "shall" for promulgating rules would provide guardrails and refine its operation.

Nicklas Kleinworth, Idaho Freedom Foundation, testified **in support of H 617**. The program has lost sight of its purpose. There is no way to measure if Idaho is reducing or contributing to harm.

Titus Folks, Vice President, Idaho Family Policy Center, testified **in support of H 617**. Their statewide poll showed 65% of Idahoans oppose the centers.

Dr. Cate Heil, Idaho Society of Addiction Medicine, testified **in opposition to H 617** stating these programs provide vital care, address the risks of contracting other diseases, and offer a bridge to treatment.

Del Chapel, Self, testified **in support of H 617**, said this program enables continuation of addictions, which people do not quit until they hit rock bottom.

Julianne Donnelly Tzul, ACLU of Idaho, testified **in opposition to H 617**. Increase oversight instead of eliminating an important health program.

Ian Troesoyer, Nurse Practitioner, testified **in opposition to H 617**. These facilities reduce use and litter.

Rep. Vander Woude, in closing remarks said the needle exchange is one of several programs for individuals with addictions. This program is not working well and a closer look is needed to better provide the services.

Committee discussion included a possible increase in deaths, the original simple program being now out of control, the possible spread of undiagnosed diseases within communities, and convincing the DHW of the seriousness of this issue.

SUBSTITUTE MOTION:

Rep. Rubel made a substitute motion to send **H 617** to General Orders.

ROLL CALL VOTE ON SUBSTITUTE MOTION:

Roll call vote was requested. **Substitute motion failed by a vote of 5 AYE and 8 NAY. Voting in favor** of the substitute motion: **Reps. Erickson, Dixon(24), Hansen, Rubel, and Roberts. Voting in opposition** to the substitute motion: **Reps. Blanksma, Kingsley, Mitchell, Gallagher, Healey, Redman, Wheeler, and Vander Woude.**

ROLL CALL VOTE ON ORIGINAL MOTION:

Roll call vote was requested. **Original motion carried by a vote of 9 AYE and 4 NAY. Voting in favor** of the original motion: **Reps. Blanksma, Kingsley, Mitchell, Dixon(24), Gallagher, Healey, Redman, Wheeler, and Vander Woude. Voting in opposition** to the original motion: **Reps. Erickson, Hansen, Rubel, and Roberts. Rep. Vander Woude** will sponsor the bill on the floor.

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 10:09 a.m.

Representative Erickson
Chair

Irene Moore
Secretary

AMENDED AGENDA #1
HOUSE HEALTH & WELFARE COMMITTEE
9:00 A.M.
Room EW20
Monday, March 04, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
HCR 30	Medicaid Waivers	Rep. Vander Woude
H 685	Medicaid Budget Stabilization Fund	Rep. Vander Woude
H 633	Public Assistance - Pregnancy	Rep. Blanksma

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude
Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew (Hansen)
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
Room: EW14
Phone: 332-1138
Email: hhel@house.idaho.gov

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Monday, March 04, 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, Rubel, Roberts

**ABSENT/
EXCUSED:** Representative(s) Mitchell, Redman

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.

H 633: **Rep. Megan Blanksma**, District 8, presented **H 633** to extend the current postpartum Medicaid coverage to twelve months at a 90/10 federal funding match which, if reduced, triggers a legislative review.

MOTION: **Rep. Dixon(24)** made a motion to send **H 633** to floor with a **DO PASS** recommendation.

Dr. Sara Thomson, St. Alphonsus Health System, The American College of Obstetricians and Gynecologists, testified **in support** of **H 633**. Many health problems are discovered or worsened with a pregnancy. This can also reduce short-interval pregnancies and their related health issues.

Ivy Smith, on behalf of **Hillarie Hagen**, Idaho Voices for Children, testified **in support** of **H 633**. Postpartum depression impacts infants and families. The current after birth renewal application can lead to coverage gaps.

Lucile Scopinich, United Women in Faith, testified **in support** of **H 633** stating this change helps rural families at the beginning of these new lives.

Dr. Katie Gentry, Idaho Coalition of State Healthcare, testified **in support** of **H 633**. Maternal mortality rates reflect the challenges faced by new mothers.

Donalee Meek, Mental Health Therapist, testified **in support** of **H 633**. This provides needed support during a time when families experience financial and health issues.

Fred Birnbaum, Idaho Freedom Foundation, testified **in opposition** to **H 633**. The Medicaid federal funding is part of the federal debt and impacts the nationwide inflation.

Erin Bennett, American Heart Association, testified **in support** of **H 633**. Extending coverage insures women who are at risk for heart disease complications receive the needed healthcare.

David Ripley, Executive Director, Idaho Chooses Life, testified **in support** of **H 633**, which affirms the value of human life by providing structure as women deal with life challenges.

Kyle Rooks, Idaho Community Health Center Association, testified **in support** of **H 633**. By extending the coverage, new mothers will have assured coverage throughout the year.

Mark Horrocks, Chief Medical Officer, Health West, testified **in support** of **H 633**. This legislation allows more time and care for these moms and their families, protecting Idaho's future.

In closing remarks, **Rep. Blanksma**, said the legislation has been crafted with the acknowledgment of any possible federal funding change in the review provision.

**ROLL CALL
VOTE:**

Rep. Gallagher requested a roll call vote. **Motion carried by a vote of 9 AYE, 2 NAY, and 2 Absent/Excused. Voting in favor** of the motion: **Reps. Erickson, Blanksma, Dixon(24), Healey, Wheeler, Schmick, Rubel, Roberts, and Vander Woude. Voting in opposition** to the motion: **Reps. Kingsley and Gallagher. Reps. Mitchell and Redman were absent/excused. Rep. Blanksma** will sponsor the bill on the floor.

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

HCR 30:

Rep. John Vander Woude, District 22, presented **HCR 30**, which requests the Department of Health and Welfare (DHW) seek cost savings through possible work requirements and allowing individuals the choice of private insurance or Medicaid. This addresses the limitations of the part-time legislature, acknowledging the DHW full-time knowledge for solutions.

MOTION:

Rep. Healey made a motion to send **HCR 30** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Roberts** requested he be recorded as voting **NAY. Rep. Vander Woude** will sponsor the bill on the floor.

H 685:

Rep. John Vander Woude, District 22, presented **H 685**, legislation to establish a Medicaid Stabilization Fund for excess appropriations which have previously gone into the General Fund. Amounts within the stabilization fund will first be returned to the Millennium Fund and then await legislative appropriation. In an economic downturn this fund can provide additional revenue for Medicaid programs.

MOTION:

Rep. Roberts made a motion to send **H 685** to the floor with a **DO PASS** recommendation.

Hillarie Hagen, Senior Policy Associate, Idaho Voices for Children, Idaho Supports Medicaid, testified **in support** of **H 685**. The fund will assure healthcare monies are used for healthcare.

David Lehman, Idaho Association of Community Providers, AARP, testified **in support** of **H 685**, which allows Idaho to move from a reactive to a responsive position.

**VOTE ON
MOTION:**

Chairman Erickson called for a vote on the motion to send **H 685** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Reps. Kingsley and Gallagher** requested they be recorded as voting **NAY. Rep. Vander Woude** will sponsor the bill on the floor.

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

Chairman Vander Woude welcomed **Rep. Schmick** who is substitute for **Rep. Chew**.

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 9:38 a.m.

Representative Erickson
Chair

Irene Moore
Secretary

AGENDA
HOUSE HEALTH & WELFARE COMMITTEE
9:00 A.M.
Room EW20
Tuesday, March 05, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
	Health Data Exchange	Ryan Langrill, Principal Evaluator, Office of Performance Evaluation

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude
Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
Room: EW14
Phone: 332-1138
Email: hhel@house.idaho.gov

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Tuesday, March 05, 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 (Schmick), Rubel, Roberts

**ABSENT/
EXCUSED:** Representative(s) Blanksma, Kingsley, Mitchell

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 9:01 a.m.

Ryan Langrill, Principal Evaluator, Office of Performance Evaluation (OPE), presented information on the Health Information Exchange (HIE) Oversight OPE report. The HIE allows participating users electronic health records access. Created in 2006, the HIE became a non-profit 501(c)(6) corporation which transitioned to a 501(c)(3) non-profit corporation.

At its inception, the HIE was not treated like other vendors. This includes a former Department of Health and Welfare (DHW) staff member as the first director, commissioners appointed to the first board, and the DHW Director as a board member until 2021. The DHW also shared offices, equipment, and supplies with the HIE.

Idaho Code required the commission to monitor the HIE but never included an enforcement mechanism and never defined the exchange as separate from the DHW.

The legislature never directly appropriated funding to the exchange. However, since 2006 the DHW has requested and received appropriations for exchange development, promotion and use.

If being a non profit is the best way, the legislature needs to consider codifying regular reporting requirements, financial audits, board membership, Idaho Code transparency, and ethical requirements for public entities. It is also recommended the legislature clarify the authority of public officials to create non profits for public work.

Since 2009 the DHW has had a \$100k annual data access contract with the exchange and has requested a sole source competitive procurement laws exemption. From 2008 until 2014, the DHW developed and improved the exchange using subawards which have more federal transparency requirements than contracts and are not subject to procurement laws. In 2015, the DHW began using contracts to pay more than \$22M for HIE improvements that were not covered under its procurement exemption for data access.

It was inappropriate for the DHW to administer its own multimillion dollar noncompetitive contracts with an untransparent vendor. In 2020 the DHW was appropriated \$19.5M through the Federal Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment (SUPPORT) Act.

The DHW staff said the SUPPORT Act contract was front-loaded with 14 project charters at \$100k each and 15 communication plans at \$100k each. The exchange violated contract provisions by entering into subcontracts without approval before the SUPPORT Act funding was appropriated. Attempts by the DHW to require more transparency proved unsuccessful.

Although the DHW information technology experts questioned the HIE data security, a third party attestation arranged by the exchange was deemed sufficient evidence for the DHW to release the final \$630k in payments. The late certification of attestation arranged by the HIE was a conflict of interest and against CMS advice. There was also concern regarding the qualifications of the certifying entity. **Mr. Langrill** noted one individual who conducted the certification is now employed by the exchange. The OPE recommendations include regularly required data security proof by an independent party.

The DHW did not receive everything promised under the improvement contract but still has a small data access agreement with the exchange. Only two of the fifty expected connections were delivered and the exchange claims it is still owed \$1.5M.

The exchange filed for bankruptcy in October 2022 after being sued for withholding pass-through payments to a contractor. The court ordered the Ada County Sheriff seize \$790k from the exchange.

Initially the most common exchange model was state agencies operated HIEs. The remaining nine states with that model do not appear to be more successful than other models. States with similar public-private partnerships tended to have requirements in statute.

A 2021 survey suggests Idaho hospitals relied more on mail and fax methods for sending and receiving health information. In 2022 the Department of Health and Human Services developed a common agreement to standardize data privacy expectations, simplify connectivity, and increase exchange electronic health records through private designated Qualified Health Information Networks (QHINs). QHINs must submit annual security assessments, ensure reasonable costs and fees, and share data with one another. The DHW could continue the HIE data access contract but be open to new vendors.

In February, 2024, the DHW interim director recommended to JFAC to cease business with the exchange unless it agrees to statute changes for transparency and oversight.

Answering questions, **Mr. Langrill** said the QHINs are more likely to talk to providers in every state. Idaho does not have a way to force the private HIE to comply. The only recourse is through the attorney general who has oversight of all charitable organizations.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 9:34 a.m.

Representative Vander Woude
Chair

Irene Moore
Secretary

AGENDA
HOUSE HEALTH & WELFARE COMMITTEE
9:00 A.M.
Room EW20
Thursday, March 07, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
S 1281	Temporary Caregivers - Bbackground Checks	Rep. Dixon (1)
H 671	Prescription Drugs - Billing	Rep. Redman
RS 31599	Prescription Drugs - Billings	Rep. Redman
	No Further Testimony Will Be Taken On The Following Rules:	
16-0602-2301	Foster Care Licensing - Previously Held	Julie Sevcik, Program Manager, Policy & Program Management, DHW
16-0601-2301	Child & Family Services - For Reconsideration	
24-1401-2301	Social Work Examiners - For Reconsideration	

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude
Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew (Schmick)
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
Room: EW14
Phone: 332-1138
Email: hhel@house.idaho.gov

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Thursday, March 07, 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 (Schmick), Rubel, Roberts

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

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.

MOTION: **Rep. Dixon(24)** made a motion to approve the minutes of the February 22, 27, and 28, 2024, meetings. **Motion carried by voice vote.**

S 1281: **Rep. Sage Dixon**, District 1, presented **S 1281**, legislation to improve the temporary caregiver crisis process for children and families outside of the foster care system. The Department of Health and Welfare is to pay the fees from the utilization of the Federal Bureau of Investigation and Idaho State Police for background checks.

MOTION: **Rep. Blanksma** made a motion to send **S 1281** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Dixon(1)** will sponsor the bill on the floor.

H 671: **Rep. Jordan Redman**, District 3, presented **H 671**, which provides better coverage access for participants in the 340B Federal Drug Pricing Program. Although a federal program, Idaho's sovereignty allows changes to address statewide issues.

Adam Grad, CEO, ACI 340B Management, further presented **H 671**. The drug pricing program purchases outpatient drugs at a significantly reduced price for low income or uninsured patients. In 2021 manufacturers began restricting the number of contract pharmacies. This legislation curtails this type of manufacturer overreach and restores essential savings to rural healthcare pharmacies.

Answering committee questions, **Mr. Grad** said this change would allow qualifying patients to go to any pharmacy. This program does not cover the indigent population.

Kelly Griffith, Executive Director, Regional Pharmacy Services, Kootenai Health, testified **in support** of **H 671**. This program provides an enormous charity for rare, highly priced prescriptions.

Jake Chapman, Director, PBM Retail Pharmacy Services, Kootenai Health, testified **in support** of **H 671**. The 340B Program's intent to stretch federal resources did not include federal guidelines for the use of the funds.

Marcus Hurst, Broulim's Pharmacy, testified **in support** of **H 671**. The current constrictions violate federal and Idaho law.

Brady Brower, Health West Inc., testified **in support** of **H 671**. Patients who have lost medication access face complications and hospital stays. The Health Resources and Services Administration (HRSA) audits assure the funds are helping the uninsured, underserved rural community.

Jared Moore, Pharmacy Director, Full Circle Health, testified in support of **H 671**. The savings from the program are passed on to qualified patients and expand programs such as behavioral health and nutrition.

Responding to questions, **Mr. Moore** explained the contract pharmacy agreements, the benefit of accessibility, and how the new restrictions have impacted rural pharmacies.

Holly Henggl, Pharmacy Director, Terry Reilly Health Services, testified in support of **H 671** stating the 340B Program makes a difference as patients struggle to afford medications. This program is at no cost to taxpayers.

Steve Thomas, Hawley Troxell, Idaho Association of Health Plans, testified in opposition to **H 671**. Although the fiscal note is silent, he calculates the state health benefit insurance plan would see an impact of \$3.8B or more. The litigation incorporates Title 46, which provides the right to unilaterally void the contract or sue for damages, again harming enrollees.

Monica Graybeal, Director, Heritage Health, testified in support of **H 671**. This program addresses the health and well being of Idaho's most vulnerable and rural citizens who often lack access. Escalating restrictions have compromised the goal to keep Idahoans healthy within their own communities.

MOTION: **Rep. Blanksma** made a motion to **HOLD H 671** in committee.

Kyle Rooks, Idaho Community Health Center Association, testified in support of **H 671** which will help patients access care.

Lauren Smyser, Smith and Malek, Idaho Community Health Association, testified in support of **H 671**. Thus far in other states the federal district courts have sided against the Pharma restrictions, enforcing the authority and power of the states to act when the federal government has not.

Rep. Redman, declared Rule 80, stating a possible conflict of interest. In closing remarks he requested **H 671** be held in committee and a replacement RS be considered.

VOTE ON MOTION: **Chairman Vander Woude** called for a vote on the motion to **HOLD H 671** in committee. **Motion carried by voice vote.**

RS 31599: **Rep. Jordan Redman**, District 3, presented **RS 31599** to replace **H 671**. The only change eliminates the distributors.

MOTION: **Rep. Roberts** made a motion to introduce **RS 31599** and recommend it be sent directly to the Second Reading Calendar.

SUBSTITUTE MOTION: **Rep. Healey** made a substitute motion to return **RS 31599** to the sponsor. **Motion carried by voice vote.**

Due to time constraints, **Docket Nos. 16-0602-2301, 16-0601-2301, and 24-1401-2301** will be carried over to the meeting of March 8, 2024, at 9:00 a.m.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 10:41 a.m.

Representative Vander Woude
Chair

Irene Moore
Secretary

AGENDA
HOUSE HEALTH & WELFARE COMMITTEE
9:00 A.M.
Room EW20
Friday, March 08, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
	No further testimony will be taken on the following Rules	
16-0602-2301	Foster Care Licensing (ZBR Chapter Rewrite) - Proposed Rule	Julie Sevcik, Program Manager, Policy & Program Management, DHW
16-0601-2301	Child & Family Services - For Reconsideration	
24-1401-2301	Social Work Examiners - For Reconsideration	
H 670	Organ harvesting, genetic tech	Rep. Redman

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude
Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew (Schmick)
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
Room: EW14
Phone: 332-1138
Email: hhel@house.idaho.gov

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Friday, March 08, 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 (Schmick), Rubel, Roberts

**ABSENT/
EXCUSED:** Representative(s) Blanksma, Healey

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 9:01 a.m.

H 670: **Rep. Jordan Redman**, District 3, presented **H 670**, which makes a statement against forced harvesting of organs for specified population groups. This legislation also protects American citizens' DNA and health privacy.

Michael Lucci, Founder, CEO, State Armor, further presented **H 670**, to address this ongoing practice in China and the use of genomic and DNA companies within the U.S. American DNA, a valuable tool for pharmaceutical solutions, is also collected for bioweapon targeting. The Chinese strategy is total economic dependency on any products with a dual, including military, use. Due to the ease of access, U.S. citizens are travelling to China for transplants.

Answering questions, **Mr. Lucci** said this legislation addresses a serious issue before it becomes a problem for our military, utilities, and citizens. Chinese based companies and equipment are now being placed on federal banned lists.

Hui He, Falun Dafa Association of Idaho, testified **in support** of **H 670**. She described the Chinese Communist Party's method for targeting the Falun Gong population as a form of extinction and organ harvesting. This practice has now been extended to the Uyghurs and other vulnerable groups. China has become the top organ tourism destination. Some U.S. universities have played a role by training Chinese transplant surgeons and participating in transplant research with Chinese hospitals.

MOTION: **Rep. Gallagher** made a motion to send **H 670** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Redman** will sponsor the bill on the floor.

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

**DOCKET NO.
16-0602-2301:** **Julie Sevcik**, Program Manager, Policy and Program Development, Department of Health and Welfare(DHW), presented **Docket No. 16-0602-2301**, which was previously held in committee. The requirements in Section 201, which were previously identified as in need of clearer definition, have been improved as temporary definitions to assist staff and foster parents better understand the intent of this chapter. These definitions will be presented in the rulemaking next session. She asked the committee to reject Sections 010.08 and 402.02, which are in conflict with Idaho Code Section 39-1202.

MOTION: **Rep. Gallagher** made a motion to approve **Docket No. 16-0601-2301** with the exception of Sections 010.08 and 402.02 which are inconsistent with foster care definitions and legislative intent. **Motion carried by voice vote.**

DOCKET NO. 16-0601-2301: **Chairman Erickson** returned **Docket No. 16-0601-2301** to the committee for further review.

MOTION: **Rep. Roberts** made a motion to reject **Docket No. 16-0601-2301** in its entirety because it consists of non-negotiated and policy changes. **Motion carried by voice vote.**

DOCKET NO. 24-1401-2301: **Chairman Erickson** returned **Docket No. 24-1401-2301** to the committee for further review.

MOTION: **Rep. Dixon(24)** made a motion to approve **Docket No. 24-1401-2301** with the exception of Section 450.2.a which is not required in statute. **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 9:33 a.m.

Representative Vander Woude
Chair

Irene Moore
Secretary

AGENDA
HOUSE HEALTH & WELFARE COMMITTEE
9:00 A.M.
Room EW20
Monday, March 11, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
S 1355	Medicaid Legislative Review Panel	Rep. Vander Woude

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude
Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew (Schmick)
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
Room: EW14
Phone: 332-1138
Email: hhel@house.idaho.gov

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Monday, March 11, 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 (Beazer), 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**.

S 1355: **Rep. John Vander Woude**, District 22, presented **S 1355** to create a Medicaid Legislative Review Panel. The Medicaid interim study group found neither legislative contract oversight nor performance review included in the Medicaid contract process. Creating this panel would address these issues and include the value care organizations.

MOTION: **Rep. Redman** made a motion to send **S 1355** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Reps. Roberts, Gallagher, Kingsley,** and **Erickson** requested they be recorded as voting **NAY. Rep. Vander Woude** will sponsor the bill on the floor.

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

Chairman Vander Woude welcomed **Rep. Jenn Beazer**, who is substituting for **Rep. Chew**.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 9:08 a.m.

Representative Erickson
Chair

Irene Moore
Secretary

AGENDA
HOUSE HEALTH & WELFARE COMMITTEE
9:00 A.M.
Room EW20
Tuesday, March 12, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
S 1288	Youth Athletes - Chiropractic Physicians	Rep. Redman
S 1351	Health Records - Research, Statistical Analysis	Senator Carlson

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude
Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew (Beazer)
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
Room: EW14
Phone: 332-1138
Email: hhel@house.idaho.gov

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Tuesday, March 12, 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 (Beazer), 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.

MOTION: **Rep. Roberts** made a motion to approve the minutes of the February 29, March 4, and 5, 2024, meetings. **Motion carried by voice vote.**

S 1288: **Rep. Jordan Redman**, District 3, presented **S 1288** to add chiropractors as a qualified professional to return a youth to play after a concussion. This adds another professional option when a doctor or athletic trainer is not available.

Caroline Merritt, Idaho Association of Chiropractic Physicians, further presented **S 1288**. Chiropractic physicians already have the training and treat clients with concussions. The change aligns the scope of practice with athletic trainers, some of whom are supervised by chiropractic physicians. Concussion management continuing education and additional care referrals are included.

Answering questions, **Ms. Merritt** said the training requirements align with physician or nurse practitioner masters programs. Placing authority with the Board of Chiropractors was requested by the Board of Medicine.

Dr. Eric Thompson, Chiropractor, testified **in support** of **S 1288**, explaining how neuromuscular specialists are integral to the team care of youth patients.

Greg Ferch, Self, Chiropractor, testified **in support** of **S 1288**, noting the chiropractor physicians are the only ones in this legislation with specific concussion continuing educational requirements.

Dr. Caroline Faure, Professor, Idaho State University, testified **in opposition** to **S 1288**. Idaho already has one of the finest concussion statutes in the nation. Athletic trainers were not a part of designing this legislation. Although a possible resource, there has been no use of nurse practitioners on the sidelines. This is a brain injury which often requires prescriptions, which the chiropractic physicians cannot provide.

Dr. Jeremai Hafer, President, Idaho Association of Chiropractic Physicians, testified **in support** of **S 1288**. With a more than profound training to diagnose and treat concussions, chiropractor physicians are more than qualified.

Megan Lawler, Self, Athletic Trainer, testified **in opposition** to **S 1288**. Concussions present differently in every child. Concussion care is constantly being updated.

MOTION: **Rep. Gallagher** made a motion to send **S 1288** to the floor with a **DO PASS** recommendation.

SUBSTITUTE MOTION: Rep. Blanksma made a substitute motion to **HOLD S 1288** in committee.

MOTION WITHDRAWN: Rep. Blanksma made a unanimous consent request to withdraw her substitute motion to **HOLD S 1288** in committee. There being no objection the request was granted.

SUBSTITUTE MOTION: Rep. Blanksma made a substitute motion to **HOLD S 1288** in committee until Wednesday, March 13, 2024. **Motion carried by voice vote.**

Due to time constraints, **S 1351** will be carried over to the meeting of March 13, 2024.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 9:57 a.m.

Representative Vander Woude
Chair

Irene Moore
Secretary

AGENDA
HOUSE HEALTH & WELFARE COMMITTEE
8:00 A.M.
Room EW20
Wednesday, March 13, 2024

Note Earlier Meeting Time

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
S 1288	Youth Athletes - Chiropractic Physicians	Rep. Redman
S 1351	Health Records - Research, Statistical Analysis	Senator Carlson
S 1352	Counselors, Therapists - Principles	Rep. Young

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude
Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew (Beazer)
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
Room: EW14
Phone: 332-1138
Email: hhel@house.idaho.gov

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Wednesday, March 13, 2024

TIME: 8:00 A.M.

PLACE: Room EW20

MEMBERS: Chairman Vander Woude, Vice Chairman Erickson, Representatives Blanksma, Kingsley, Mitchell, Dixon(24), Gallagher, Healey, Redman, Wheeler, Chew (Beazer), 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 8:00 a.m.

S 1288: **Chairman Vander Woude** returned **S 1288** to the committee for consideration, which was held in committee until Wednesday, March 13, 2024.

Testifying **in opposition** to **S 1288** were **Kristie Pardue**, Speech Language Pathologist, St. Luke's Sports Medicine Concussion Clinic; **Dr. Kurt Nilsson**, Sports Medicine Physician, Medical Director, St. Luke's Sports Medicine, Sports Concussion Clinic; **Merrill Hoge**, Parent, Athlete, Coach; **Brent Faure**, Director, Sports Medicine, Portneuf Hospital; **Ty Jones**, Idaho High School Activities Association; **Kevin Taylor**, Athletic Trainer, St. Luke's Sports Medicine; **Kip Gerbinak**, St. Luke's Hospital.

Their comments included concern regarding the lack of stakeholder input, the importance of return-to-learn, non-referrals by chiropractors, the consequences of improper evaluation, along with the importance of daily contact with the athletes, families, and school staff. Concussion management has made landmark changes, evolving from cocoon to active therapy.

Lauren Hoyt, Clinical Sports Trainer, Northwest Nazarene University, Idaho Athletic Trainers Association, testified **in a neutral position** to **S 1288**. Nurse practitioners are being used to manage and clear youth with concussions. There are also athletic trainers who have chiropractic physician oversight.

Rep. Redman, in closing, remarked stakeholders were contacted and several attempts to reach out yielded no responses. Sixty-two percent of Idaho's high schools report no athletic trainer on the sidelines. All precautions need to be taken to assure access is available for all Idaho school athletes.

MOTION: **Rep. Healey** made a motion to send **S 1288** to the floor with a **DO PASS** recommendation.

SUBSTITUTE MOTION: **Rep. Blanksma** made a substitute motion to **HOLD S 1288** in committee.

Committee discussion included the extensive training chiropractic physicians receive, the importance of clearing children pulled from games, the changing neurological damage protocols, the lack of stakeholder involvement, and the need to help schools without athletic trainers on the sidelines.

ROLL CALL VOTE: **Chairman Vander Woude** stated he was in doubt regarding the voice vote and called for a roll call vote on the substitute motion. **Substitute motion carried by a vote of 7 AYE, 6 NAY. Voting in favor of the motion: Reps. Erickson, Blanksma, Dixon(24), Wheeler, Beazer, Rubel, Roberts. Voting in opposition to the motion: Reps. Kingsley, Mitchell, Gallagher, Healey, Redman, Vander Woude.**

S 1351: **Sen. Cindy Carlson**, District 7, presented **S 1351** to allow the examination of specified Department of Health and Welfare (DHW) records by citizens. This additional government transparency will allow research under a non-disclosure agreement (NDA), protecting the proprietary information.

Responding to the committee, **Sen. Carlson** stated the DHW directs how and where this information is available in their offices.

Joseph Gish, Self, testified **in support** of **S 1351**. He shared how he removed many outdated Idaho voter listings based on available information. This additional information is expected to further clean up the voter lists.

MOTION: **Rep. Redman** made a motion to send **S 1351** to the floor with a **DO PASS** recommendation.

ROLL CALL VOTE: **Chairman Vander Woude** stated he was in doubt regarding the voice vote and called for a roll call vote on the motion. **Motion failed by a vote of 6 AYE, 7 NAY. Voting in favor of the motion: Reps. Kingsley, Mitchell, Gallagher, Healey, Redman, Vander Woude. Voting in opposition to the motion: Reps. Erickson, Blanksma, Dixon(24), Wheeler, Beazer, Rubel, Roberts.**

S 1352: **Rep. Julianne Young**, District 30, presented **S 1352**, legislation to protect the conscience rights of counselors and therapists, assuring they are not penalized when they decline to support client goals, outcomes or behaviors in conflict with their sincerely held moral principals.

MOTION: **Rep. Wheeler** made a motion to send **S 1352** to the floor with a **DO PASS** recommendation.

Testifying **in support** of **S 1352** were **Marcie Scarrow**, Counselor; **Peggy McFarland**, Clinical Counselor, Counseling Teacher; **Hilber Nelson**, Clinical Social Worker, Trauma Therapy; **Grace Howat**, Policy Assistant, Idaho Policy Center; **Jennifer Arzola**, Self; **Joy Huffman**, Self; **Dr. Lynn Laird**, Self; **Matt Sharp**, Senior Counsel, Alliance of Freedom; **Mark Hand**, Self.

Their comments included information on how political world view model mandates have impacted therapists and clients. Providing ethical referrals are standards of care. Vulnerable professions have been targeted. Mandates deny the ability to treat all aspects of a client's goals. Idaho must protect the conscience rights of all healthcare providers. This does not permit a counselor to force his own beliefs on a client.

VOTE ON MOTION: **Chairman Vander Woude** called for a vote on the motion to send **S 1352** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Reps. Roberts** and **Rubel** requested they be recorded as voting **NAY. Rep. Young** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 9:46 a.m.

Representative Vander Woude
Chair

Irene Moore
Secretary

AMENDED AGENDA #1
HOUSE HEALTH & WELFARE COMMITTEE
8:00 A.M.
Room EW20
Thursday, March 14, 2024

Note Earlier Meeting Time

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
RS 31641C1	Rules Review	Rep. Erickson
RS 31642	Rules Review	Rep. Erickson
S 1379	Congregate Care - Child Placement	Rep. Raybould
S 1380	Health - Social Services Ombudsman	Rep. Raybould

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude
Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew (Beazer)
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
Room: EW14
Phone: 332-1138
Email: hhel@house.idaho.gov

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Thursday, March 14, 2024

TIME: 8:00 A.M.

PLACE: Room EW20

MEMBERS: Chairman Vander Woude, Vice Chairman Erickson, Representatives Blanksma, Kingsley, Mitchell, Dixon(24), Gallagher, Healey, Redman, Wheeler, Chew (Beazer), Rubel, Roberts

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

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 8:00 a.m.

RS 31641C1: **Rep. Marco Erickson**, District 33, presented **RS 31641C1**, proposed legislation for Administrative Rule determinations for which the House and Senate are in agreement.

MOTION: **Rep. Wheeler** made a motion to introduce **RS 31641C1** and recommend it be sent directly to the Second Reading Calendar. **Motion carried by voice vote.** **Chairman Vander Woude** will sponsor the bill on the floor.

RS 31642: **Rep. Marco Erickson**, District 33, presented **RS 31642**, proposed legislation for the one Administrative Rule section rejected by the House and approved by the Senate.

MOTION: **Rep. Wheeler** made a motion to introduce **RS 31642** and recommend it be sent directly to the Second Reading Calendar. **Motion carried by voice vote.** **Chairman Vander Woude** will sponsor the bill on the floor.

S 1379: **Rep. Brit Raybould**, District 34, presented **S 1379**, legislation pertaining to the use of Bed and Bath (bnb) housing for foster children. Stipulations include the length of stay, age of child, notifications, and the ongoing approval of the Director of the Department of Health and Welfare (DHW). This legislation will strengthen the foster care family system and provide safer housing.

MOTION: **Rep. Healey** made a motion to send **S 1379** to the floor with a **DO PASS** recommendation.

Cadence Wright, Self, Idaho Voices for Children, testified in support of **S 1379**, sharing her experience in foster care with bnb stays. The bnbs are isolation, lock-down facilities and the children are frisked daily. The rotating staff is not trained to handle the situations which arise and the children are further traumatized.

Christine Tiddens, Idaho Voices for Children, testified in support of **S 1379**. The increasing use by the DHW of such unregulated care settings has become common practice for children of all ages, including toddlers. This is an inappropriate type of care for children. Answering questions she said Idaho communities can better support foster parents through services such as respite, child care, and church resources.

Rep. Beazer invoked Rule 80 stated a possible conflict of interest and she would be voting on the legislation.

Dr. Kylie Billingsley, Foster Parent, testified in support of **S 1379**, sharing stories of children who were traumatized during their stays at the bnbs. This practice provides no structure, no rules, and no backup.

Rep. Raybould, in closing, said the DHW has been rotating their regular staff to cover the bnbs. The effective date was selected to allow the Department time for proper implementation. A lack of staffing is one aspect of the problem, but it is also an internal decision for an unacceptable practice. Idaho has failed these kids.

VOTE ON MOTION:

Chairman Vander Woude called for a vote on the motion to send **S 1379** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Raybould** will sponsor the bill on the floor.

S 1380:

Rep. Brit Raybould, District 34, presented **S 1380** to further address the foster care system issues by establishing the Office of the Ombudsman. This office is independent from the DHW and provides a firewall between those providing, receiving, and resolving problems with foster care services. The Ombudsman will provide an annual report to the Governor, Legislature, and DHW to help identify areas requiring attention. Should the Ombudsman receive information indicating jeopardy to life, health, or safety, they must report it to the appropriate law enforcement agency.

Any complaint means something bad has happened to a child. Historically there have been stories of retribution, which this legislation addresses through penalties for obstruction or retaliation. Although this office does not solve all of the foster care service problems, it does provide oversight, transparency, and improved accountability. The three full-time personnel and funding requirements will be pulled from the DHW budget.

In response to questions, **Rep. Raybould** explained the obstruction provision pertains to files for the foster kids to assure they are provided to the Ombudsman's office in a timely manner. There is also a penalty if any retaliation occurs to a complainant after a report is provided by the Ombudsman.

MOTION:

Rep. Healey made a motion to send **S 1380** to the floor with a **DO PASS** recommendation.

Rep. Raybould further responding to questions said this position requires specific qualifications and expertise which makes it more appropriate as a gubernatorial appointment instead of an elected official. The DHW still oversees foster parents and deals with any complaints for that group of individuals.

Rep. Beazer invoked Rule 80 stating a possible conflict of interest and she would be voting on the legislation.

Testifying in support of **S 1380** were **Brian McCauley**, Self, Former Foster Parent; **Christine Tiddens**, Director, Idaho Voices for Children; **Jamie Kruszewski**, Adoptive Parent; **Jeremy Rudolph**, Self, Foster Parent; **Dr. Kylie Billingsley**, Self; **Meritt Dublin**, Attorney, Former Foster Parent; **Stephanie Morgan**, Guardian Ad Litem.

Sharing personal stories, they said this legislation limits the current system's almost unlimited power and is a step forward in helping youth facing unsafe situations. It also prevents foster parents from receiving extreme retaliation when they share their concerns. The DHW is not being held accountable. Predictably wrong decisions are being made for the care of traumatized kids. Many foster parents are now afraid to come forward.

MOTION:

Rep. Wheeler made a motion to call for the question.

**UNANIMOUS
CONSENT
REQUEST:**

Rep. Wheeler made a unanimous consent request to withdraw his motion to call for the question. There being no objection, the request was granted.

During discussion committee members expressed concern and frustration regarding the stories of retaliation, the lack of action by the Executive Branch, the need to empower both kids and communities, the Ombudsman having power beyond recommendations, the need for accountability within the DHW, and the importance of supporting kids and parents.

**ROLL CALL
VOTE:**

A roll call vote was requested. **Motion carried by a vote of 11 AYE, 1 NAY, and 1 Absent/Excused. Voting in favor** of the motion: **Reps. Erickson, Blanksma, Kingsley, Mitchell, Dixon(24), Healey, Wheeler, Beazer, Rubel, Roberts, and Vander Woude. Voting in opposition** to the motion: **Rep. Gallagher. Rep. Redman** was absent/excused. **Rep. Raybould** will sponsor the bill on the floor.

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 9:32 a.m.

Representative Vander Woude
Chair

Irene Moore
Secretary

AGENDA
HOUSE HEALTH & WELFARE COMMITTEE
9:00 A.M.
Room EW20
Friday, March 15, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
H 632	Naturopathic Doctors - Licensure	Rep. Blanksma

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude
Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew (Beazer)
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
Room: EW14
Phone: 332-1138
Email: hhel@house.idaho.gov

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Friday, March 15, 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 (Beazer), 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.

MOTION: **Rep. Roberts** made a motion to approve the minutes of the March 7 and 8, 2024, meetings. **Motion carried by voice vote.**

H 632: **Rep. Megan Blanksma**, District 8, presented **H 632** with necessary minor corrections to the Naturopathic Physician dual licensure statute which will allow licensing to begin.

Eduardo Perkins, Chiropractor, Naturopathic Physician, testified **in support of H 632.**

MOTION: **Rep. Redman** made a motion to send **H 632** to the floor with a **DO PASS** recommendation.

Brian Barry, President, Naturopathic Physicians Association of Idaho, testified **in support of H 632.** The changes complete the intent of the statute.

JoAnn Yanez, Executive Director, Association of Accredited Naturopathic Physician Colleges, testified **in opposition to H 632.** This statute allows licensing without appropriate training, which is not safe.

Dr. Colby Inzer, President, American Naturopathic Association, testified **in support of H 632.** The statute requirements match the degree requirements.

Dr. Michael Karlfeldt, Self, testified **in support of H 632**, emphasizing the minor adjustment within the legislation.

VOTE ON MOTION: **Chairman Vander Woude** called for a vote on the motion to send **H 632** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Blanksma** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 9:12 a.m.

Representative Vander Woude
Chair

Irene Moore
Secretary

AGENDA
HOUSE HEALTH & WELFARE COMMITTEE
9:00 A.M.
Room EW20
Tuesday, March 19, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
S 1247aa	Crisis Response Holds	Rep. Dixon (24) Senator Wintrow
S 1354aa	Electroconvulsive Treatment - Age	Rep. Redman Senator Lee

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude
Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
Room: EW14
Phone: 332-1138
Email: hhel@house.idaho.gov

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Tuesday, March 19, 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 (Beazer), 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.

MOTION: **Rep. Dixon(24)** made a motion to approve the minutes of the March 11, 12, and 13, 2024, meetings. **Motion carried by voice vote.**

S 1247aa: **Rep. Chenele Dixon(24)**, District 24, presented **S 1247aa** which creates a temporary 24-hour hospital placement for persons with a major cognitive disorder who are in crisis. The existing mental or behavioral health (BH) holds do not pertain to Alzheimer's Disease and Related Dementias (ADRD). This protective placement addresses reversible medical triggers and provides assessment to determine the underlying cause.

Sen. Melissa Wintrow, District 19, further presented **S 1247aa**. The only options for these situations are jail, leaving the individual in the situation, or placing them on an inappropriate BH hold. Allowance is made for longer holds. Quarterly reporting will measure the effectiveness of the legislation. The fiscal note calculation is based on 2022 uninsured data and estimates 100 or less individuals will benefit from this service.

Answering questions, **Sen. Wintrow** said this legislation, effective October 1, 2024, will provide initial information to the legislature in 2025.

Dr. Jessica Kroll, President, American College of Idaho Physicians, further presented **S 1247aa**. This legislation is a new tool to evaluate and process agitated neurocognitive patients until the crisis is resolved. Most of these patients are geriatric and need to return home quickly to prevent additional confusion or worsened conditions.

Dianna David, Self, testified **in support** of **S 1247aa**. Dementia causes behavioral problems when communication misfires.

MOTION: **Rep. Redman** made a motion to send **S 1247aa** to the floor with a **DO PASS** recommendation.

Craig Durell, Sergeant, Ada County Sheriffs Office, on behalf of **Sheriff Matt Clifford**, testified **in support** of **S 1247aa**, sharing his experience caring for a family member. This legislation assists law enforcement to better assist citizens who request help for someone in crisis who may commit serious harm to themselves or others.

Dr. Kara Kuntz, Geriatrician, Director, Memory Center, testified **in support of S 1247aa**. Caregiver burnout increases when they are the only ones left to handle these situations. A short hospital stay to reverse the immediate issue is best for both the individuals and their families.

Jodi Peterson-Stigers, Executive Director, Interfaith Sanctuary, testified **in support of S 1247aa**, explaining how this provides a safe pathway for persons experiencing issues in shelters.

Jack Miller, Self, testified **in support of S 1247aa**, stating this legislation gives families another opportunity to keep their loved ones in their homes. Many things can impact medications and cause undesirable behavior.

Sarah Toevs, Self, testified **in support of S 1247aa**. The first ADRD plan in 2013 had this change listed as a critical component.

Tiffany Robb, Program Manager, ADRD Program, Department of Health and Welfare (DHW), testified **in support of S 1247aa**. These individuals become unable to communicate, causing humiliation which can manifest in harmful ways. A report will be presented to the legislature in 2025.

VOTE ON MOTION:

Chairman Vander Woude called for a vote on the motion to send **S 1247aa** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Dixon(24)** will sponsor the bill on the floor.

S 1354aa:

Rep. Jordan Redman, District 3, presented **S 1354aa** to allow informed consent for children 12 years of age or older to receive electroconvulsive therapy (ECT). This form of treatment is used for significant psychological conditions when other medications have not worked. Idaho allows adults to receive the ECT treatment but requires families to get a court order or travel out of state to get this therapy for their children. Although most insurance plans cover ECT, Medicaid does not.

David Lehman, on behalf of Cottonwood Creek Hospital, further presented **S 1354aa**. Not changing any standards of care, this legislation allows access in Idaho without a court order.

Sandra Ashley, Self, testified **in opposition to S 1354aa**. She shared concerns regarding this treatment, which is not fully understood and requires full disclosure.

Joan Derrick, Self, testified **in opposition to S 1354aa**, expressing concern regarding the rebranding of ECT as a treatment with no risks or side effects. This treatment can cause permanent disability.

G. Dee Carter, Self, testified **in support of S 1354aa**. As an ECT recipient, he shared how the treatment helped him reclaim and enjoy life. Answering a question he said the only side effects he experienced were a slight headache and some short-term memory loss during the course of treatment.

Michael Clary, Self, testified **in support of S 1354aa**, sharing the hardship of securing his son's out-of-state treatment and the need for treatment continuation when he returns home. Parents need to make these medical decisions without breaking up their families.

Dr. Roberto Negron, Medical Director, Idaho Youth Residential Treatment Center, St. Alphonsus Department of Psychiatry, Cottonwood Creek Hospital, testified **in support of S 1354aa**. ECT was introduced ninety years ago. Since then it has been refined to an outpatient procedure. This treatment, used after conventional methods fail, provides faster symptom relief.

MOTION:

Rep. Healey made a motion to send **S 1354aa** to the floor with a **DO PASS** recommendation.

Responding to questions, **Dr. Negron** said early intervention provides better outcome. This would be offered to patients with severe mental illness who are self harming. The treatment includes the participation of both the family and adolescent. Some after-treatment booster sessions are best for most patients in order to prevent reoccurrences. Medication management is based on the individual.

There is still a tremendous amount of ECT stigma from early depictions of the treatment. Many patients have family histories of mental health illnesses. Worldwide clinical research and data overwhelmingly shows it can help adolescents.

Dr. David Thompson, Psychiatrist, testified **in support** of **S 1354aa**. ECT is an effective, lifesaving therapy for patients who have failed all other treatments. It is not a first-line method. Patients report the procedure to be boring and often fall asleep.

Dr. Negron was invited to answer a question. He said the ECT machine uses a 0.5 millisecond electrical burst which depolarizes the brain energy, causing a brief seizure.

Ernest Esparza, Chief Nurse, Cottonwood Creek Hospital, testified **in support** of **S 1354aa**, stating adolescent patients who cannot interact within social norms are suffering. Expanding this treatment offers hope to every individual, regardless of age.

Answering further questions, **Dr. Negron** explained ECT is never given without an informed consent. With adolescents the guardian, parent, and adolescent are involved throughout the course of treatment.

Kevan Finley, CEO, Cottonwood Creek Hospital, testified **in support** of **S 1354aa**. Modern ECT has improved dramatically over the past 90 years. Denying the right to treatment is not in keeping with medical ethics.

Rep. Redman in closing, stated healthcare transparency is important. This legislation does not force anyone to have the procedure. Instead parents and provider teams are offered an option for their children's care.

VOTE ON MOTION:

Chairman Vander Woude called for a vote on the motion to send **S 1354aa** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Reps. Mitchell, Gallagher, Kingsley, and Vander Woude** requested they be recorded as voting **NAY**. **Rep. Redman** will sponsor the bill on the floor.

Ty Murdock, the committee's Page, was thanked by all committee members for his work during the second half of the session.

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 10:48 a.m.

Representative Vander Woude
Chair

Irene Moore
Secretary

AMENDED AGENDA #1
HOUSE HEALTH & WELFARE COMMITTEE
9:00 A.M.
Room EW20
Thursday, March 21, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
H 596aaS	Pharmacy Benefit Managers - Senate Ammendments (Committee concurrence on Senate Amendments-no further testimony will be taken)	Rep. Redman

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude
Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew (Beazer)
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
Room: EW14
Phone: 332-1138
Email: hhel@house.idaho.gov

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Thursday, March 21, 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 (Beazer), 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.

MOTION: **Rep. Roberts** made a motion to approve the minutes of the March 14 and 15, 2024, meetings. **Motion carried by voice vote.**

H 596aaS: **Rep. Jordan Redman**, District 3, presented **H 596aaS**. The Senate amendments strengthen this legislation by increasing the plan change time frame, including Federal Drug Administration approved generic, biosimilar, or interchangeable biologics, requiring reasonable dispensing fees, including waste or abuse with fraud, excluding disclosure of proprietary information, and changing the effective date to January 1, 2025.

MOTION: **Rep. Healey** made a motion to Concur with the Senate amendments to **H 596aaS**. **Motion carried by voice vote.** **Rep. Redman** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 9:10 a.m.

Representative Vander Woude
Chair

Irene Moore
Secretary

AMENDED AGENDA #2
HOUSE HEALTH & WELFARE COMMITTEE
9:00 A.M.
EW20
Tuesday, March 26, 2024

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ew20/>

SUBJECT	DESCRIPTION	PRESENTER
H 740	Electroconvulsive Therapy - Consent	Rep. Redman

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman Vander Woude
Vice Chairman Erickson
Rep Blanksma
Rep Kingsley
Rep Mitchell
Rep Dixon (24)
Rep Gallagher

Rep Healey
Rep Redman
Rep Wheeler
Rep Chew (Beazer)
Rep Rubel
Rep Roberts

COMMITTEE SECRETARY

Irene Moore
Room: EW14
Phone: 332-1138
Email: hhel@house.idaho.gov

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Tuesday, March 26, 2024

TIME: 9:00 A.M.

PLACE: EW20

MEMBERS: Chairman Vander Woude, Vice Chairman Erickson, Representatives Blanksma, Kingsley, Mitchell, Dixon(24), Gallagher, Healey, Redman, Wheeler, Chew (Harada), Rubel, Roberts

**ABSENT/
EXCUSED:** Representative(s) Blanksma, Kingsley, Gallagher, Chew

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.

MOTION: **Rep. Dixon(24)** made a motion to approve the minutes of the March 19 and 21, 2024, meetings. **Motion carried by voice vote.**

H 740: **Rep. Jordan Redman**, District 3, presented **H 740**, a trailer bill to address concerns with **S 1354aa** by stipulating the use of electroconvulsive treatment on children 12 years of age or older is not permitted at any time without parental consent.

MOTION: **Rep. Healey** made a motion to send **H 740** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Redman** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 9:03 a.m.

Representative Vander Woude
Chair

Irene Moore
Secretary