

MINUTES
SENATE HEALTH & WELFARE COMMITTEE

DATE: Tuesday, February 06, 2024

TIME: 3:00 P.M.

PLACE: Room WW54

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

ABSENT/ EXCUSED: None

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

CONVENED: **Chair VanOrden** called the meeting of the Senate Health and Welfare Committee (Committee) to order at 3:05 p.m.

RS 31013 **Relating to Jurisdiction of Certain Health Organizations. Senator Nichols** stated the proposed bill aimed to limit the power of outside health organizations in Idaho. This prevented the World Health Organization (WHO) from having a say in Idaho's health matters and stating that recommendations from WHO would not be used for medical decisions in the State. The law stated that before the state followed any health instructions from the U.S. Department of Health and Human Services (HHS) or the Center for Disease Control and Prevention (CDC), both houses of the legislature must agree, thereby maintaining sovereignty and control through the constitutional authority of the legislature.

DISCUSSION: In response to Committee questions, **Senator Nichols** explained that the law did not state that WHO or other organizations had no jurisdiction. The bill did not prohibit gathering information from these organizations it just defined jurisdiction.

MOTION: **Senator Zuiderveld** moved to send **RS 31013** to print. **Senator Bjerke** seconded the motion. **Senators Lee** and **Wintrow** voted nay. The motion carried by **voice vote**.

RS 31170: **Relating to Youth Athletes. Senator Bjerke** stated this bill allowed a chiropractic physician to be on a list of qualified health providers permitted to returning a youth to activity after sustaining a concussion. The chiropractor was required to successfully complete a State Board of Chiropractic Physicians approved concussion management education program.

MOTION: **Senator Lee** moved to send **RS 31170** to print. **Senator Zuiderveld** seconded the motion. The motion carried by **voice vote**.

S 1247 **HEALTH - Adds to existing law to provide for 24-hour holds for persons with major neurocognitive disorders experiencing an acute crisis. Senator Wintrow** explained that people with dementia or Alzheimer's experiencing an acute crisis, and were a danger to themselves or others, would be placed under a 24 hour medical hold. This allowed physicians time to assess and treat the patient if necessary. She stated a mental health hold was not appropriate for someone with a neurocognitive disorder while in crisis. This was a problem caused by a physical degeneration of somebody's brain and not a mental illness. There was not a cure, the diagnosis was different, and the treatment was different than a mental health issue. **Senator Wintrow** stated she was yielding her time to Jody Peterson Stigers, Executive Director, Interfaith Sanctuary Homeless Shelter and Dr. Jessica Kroll.

Ms. Peterson Stigers relayed a story of someone in crisis and the issues that were faced in trying to assist them. **Dr. Kroll** stated that she was an emergency room physician and provided details on how the proposed changes would be executed and would improve the treatment for the patient.

DISCUSSION: In response to Committee questions, **Dr. Kroll** explained that there were people placed under a 72 hour mental health hold that did not meet the criteria and were stuck waiting for a designated examiner to be released as they were not eligible for a behavioral health facility and neither the hospital nor family had the power to release them. A 24 hour hold would decrease the patient's time at the hospital and get them the care that they needed faster.

TESTIMONY IN FAVOR: Testifying in favor of **S 1247**: **Lee Flynn**, Director Idaho Crisis and Suicide Hotline; **Sarah Toevs**; **Kathy Dawes**; **Emily Jackson-Edney**; **Sarah Del Grande**; **Dr. Nicole Fox**; and **Jack Miller**.

TESTIMONY IN OPPOSITION: Testimony in opposition of **S 1247**: **Mike Miraglia**, Idaho Fraternal Order of Police; **John Evans**, Mayor, Garden City, Idaho.

- The bill did not have guideposts such as judicial review, a designated examiner or due process rights for the individual who was being detained.
- This required police officers to make a medical diagnosis on the spot and they were not health care providers.
- The police officers would be required to segregate people with mental-health challenges from those with neurological issues.
- The city could get sued for a Forth Amendment violation for making the wrong decision.

MOTION: **Senator Lee** moved to send **S 1247** to the floor with a do pass recommendation. **Senator Harris** seconded the motion. The motion carried by **voice vote**.

PRESENTATION: **Republic Services**. **Chair VanOrden** relayed that the Republic Services presentation would be rescheduled to the next Committee meeting on Wednesday, February 7, 2024.

ADJOURNED: There being no further business at this time, **Chair VanOrden** adjourned the meeting at 4:38 p.m.

Senator VanOrden
Chair

Lena Amoah
Secretary