

MINUTES  
**SENATE HEALTH & WELFARE COMMITTEE**

**DATE:** Monday, February 26, 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 3:08 p.m.

**H 393** **COUNSELING SERVICES - Adds to existing law to provide for Idaho's participation in the Interstate Counseling Compact (ICC). Senator Hartgen** provided that the Department of Occupational and Professional Licenses (DOPL) was in support. She noted that compact fees were paid by the applicant counselor and not out of the general fund. Compact states local to Idaho were Utah, Washington, Montana, Wyoming, and Colorado.

**Liz Hatter**, on behalf of the Idaho Counseling Association (ICA), shared that the counseling compact did not override Idaho's laws and rules. She also explained compact counselors were thoroughly vetted, that they had an active unencumbered license, and both the participating state and counselor must be free of any disciplinary action for the last two years. **Liz Hatter** provided that military families and others who moved out of state would benefit from the ICC, allowing for counseling continuity. **Senator Zuiderveld** inquired if the regulation promulgated by the ICA would have the full force of law. **Ms. Hatter** replied that licensure portability was its focus and that laws and rules remained in the scope of practice. **Senator Zuiderveld** asked why doctors could prescribe medication while the patient was on vacation; wouldn't this be the same for counselors. **Ms. Hatter** explained, as an example, an out of state college student did not have access to their Idaho counselor.

**TESTIMONY IN OPPOSITION:** **Peggy McFarland**, Licensed Clinical Professional Counselor in Idaho, explained there was already a process whereby a clinician could contact the licensure board of another state to be able to counsel in that state. She also noted that on Pg. 16, line 9 of **H 393**, provisions of the compact and rules promulgated would have the standing of statutory law, and that these promulgated rules would have unknown future consequences. **Jacob LeClair**, member of ICA, pointed out that **H 393** would exacerbate provider shortages due to higher Medicaid reimbursements in surrounding interstate compact states. **Lynn Laird** explained how Idaho would lose its sovereignty to the compact when it came to sensitive decisions about rules and laws. **Kristi Hardy** testified in opposition.

**TESTIMONY IN FAVOR:**

The following testified in favor of **H 393**. Emillie Jackson-Edney; Jamie Van, MBS Idaho Counseling; Dylan Haas; Krista Doubleday; Stefanie Sherman, President, Idaho Counseling Association; Rebecca Mills; Erin Hudson, Board President, Idaho Behavioral Health Association (Attachment 1); and Tammie L. Perrault, Northwest Regional Liaison, Defense-State Liaison Office (Attachment 2).

- Those that travel such as (truckers, military, sales, victims of domestic abuse, and college students) would benefit.
- It was voluntary to join the compact or not.
- The compact provided continuity with the counselor, whether in person or via telehealth.
- The compact allowed for mental health crisis care.

**MOTION:**

**Senator Lee** moved to send **H 393** to the floor with a **do pass** recommendation. **Senator Taylor** seconded the motion.

**DISCUSSION:**

**Senator Lee**, explained her support due to her proximity of Idaho state border and constituent requested. **Senator Harris** noted there were other successful interstate compacts, that this compact would be critical to military families. **Senator Zuiderveld** spoke in opposition due to the Compact Commission having immunity and the emergency of this bill.

**VOICE VOTE:**

The motion to send **H 393** to the floor with a **do pass** recommendation passed by voice vote. **Senator Zuiderveld** voted nay.

**PRESENTATION:**

**Alex Williamson**, Budget Analyst, Legislative Services Office (LSO), provided an update on the Department of Health and Welfare, specifically the division of Medicaid. Medicaid had five divisions: Medicaid Administration and Medical Management, Coordinated Medicaid Plan, Enhanced Medicaid Plan, Basic Medicaid Plan, and Expansion Medicaid Plan. These provided services and regulatory programs, promoted economic well-being, supported vulnerable children and adults, enhanced public health, and encouraged self-sufficiency. The Division of Medicaid was responsible for administering plans, to finance and deliver health services for people at risk due to low income and other factors that included, old age, pregnancy, or disability. Beneficiaries in this plan, must have an income level of less than 138% of the federal poverty limit (Attachment 3). Medicaid in Idaho is a balance of federal funds and State funds, the healthier the State is financially, the less federal funding it received (Attachment 4).

**ADJOURNED:**

There being no further business at this time, **Chair VanOrden** adjourned the meeting at 4:22 p.m.

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Senator VanOrden  
Chair

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Lena Amoah  
Secretary

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Jim Hickey  
Assistant Secretary