

MINUTES  
**SENATE HEALTH & WELFARE COMMITTEE**

**DATE:** Tuesday, January 25, 2022

**TIME:** 3:00 P.M.

**PLACE:** Room WW54

**MEMBERS PRESENT:** Chairman Martin, Vice Chairman Riggs, Senators Heider, Harris, VanOrden (Bair), Zito, Stennett, and Wintrow

**ABSENT/ EXCUSED:** Senator Lee

**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:** **Chairman Martin** called the meeting of the Senate Health and Welfare Committee (Committee) to order at 3:00 p.m.

**PRESENTATION & DISCUSSION:** **Mental Health and Suicide Prevention Advocacy Day. Mike Sandvig**, President Emeritus, National Alliance on Mental Illness (NAMI), introduced himself to the Committee. **Mr. Sandvig** gave an overview of NAMI and its mission. He described NAMI's 2021 activities and the impacts of untreated mental health issues (see Attachment 1).

**Lee Flinn**, Director, Idaho Suicide Prevention Hotline (ISPH), introduced herself to the Committee. **Director Flinn** provided the history and mission of the ISPH. She noted that the ISPH operates 24 hours a day, 7 days a week, pursuant to a contract with the State of Idaho. **Director Flinn** said the ISPH also receives calls about other mental health struggles, including depression, anxiety, and loneliness. She reported that the 988 universal mental health and suicide prevention crisis number will go live on July 16, 2022. **Director Flinn** noted that calls to the 988 crisis number will be routed to the ISPH. She added that the ISPH helps a caller strengthen their resilience and create a safety plan. **Director Flinn** advised that 2021 call volume was 34 percent higher than in 2020.

In response to questions from **Senator Wintrow** about the ISPH budget and funding, **Director Flinn** answered that the ISPH receives a State appropriation equivalent to 30 percent of the ISPH budget. The balance of the ISPH budget comes from fundraising, she said. **Director Flinn** commented that additional funding will be needed to prepare for and operate the 988 crisis number. She thanked the Governor for his budget support for the 988 crisis number.

**Chairman Martin** reminded the Committee that the 211 Idaho Care Line is an additional resource for mental health issues.

**Stuart Wilder**, President, Idaho Suicide Prevention Coalition and LiveWilder Foundation, introduced himself to the Committee. **Mr. Wilder** stated he is also the co-chair of the Idaho Suicide Prevention Action Collective (ISPAC) and a member of the Governor's Council on Suicide Prevention. He described the role of the ISPAC in advancing the goals of the State's five year suicide prevention plan. **Mr. Wilder** thanked the Idaho Department of Health and Welfare (Department) for their collaboration and assistance. He described the steps taken to prepare for implementation of the 988 crisis number. **Mr. Wilder** commented that there is a disparity between behavioral health and physical health funding and access to care. He added that the ISPAC and the Governor's Behavioral Health Council (BHC) are working on strategic legislative initiatives to improve access to care

and resources. **Mr. Wilder** thanked the Committee and the Legislature for their leadership and support.

**Senator Wintrow** inquired about ways to reduce access to firearms for people experiencing a mental health crisis. **Mr. Wilder** replied that a previously established task force on this issue had stalled out. He said that access to any lethal means is an issue that the ISPAC will continue to address with the BHC.

**Vice Chairman Riggs** offered his support for suicide prevention efforts. He commended Mr. Wilder for his commitment to the cause of suicide prevention. **Mr. Wilder** reminded the Committee that funding is the key to making a big difference.

Chairman Martin passed the gavel to Vice Chairman Riggs.

**PASSED THE  
GAVEL:**

**DOCKET NO.  
16-0000-2100**

**Notice of Omnibus Rulemaking - Proposed Rule**, p. 44. **Tamara Prisock**, Administrator, Division of Licensing and Certification, Department, introduced herself to the Committee. **Ms. Prisock** provided a spreadsheet summarizing the Department's rule changes (see Attachment 2). She advised that 32 chapters were unchanged from last year. **Ms. Prisock** stated that the Department completely rewrote nine chapters as directed by the Governor's Zero-Based Regulation Act (ZBR). She reported that the Department eliminated 16.03.23 because it was unnecessary.

**Ms. Prisock** explained the regular changes to four rule chapters. She described the waiver process added to 16.01.03 to enable emergency medical services agencies to provide higher level care in rural areas. **Ms. Prisock** reported that the changes to 16.01.09 and 16.03.10 (a) aligned the rule with H 0351 passed in 2020; and (b) extended some relaxed requirements established under the COVID-19 public health emergency. She noted the additional changes to 16.01.09 (a) updated provider qualifications to expand the provider network for audiologists and resident physicians; and (b) added language to facilitate the transition from a cost-based to a value-based reimbursement methodology for acute care hospitals. **Ms. Prisock** advised that the Department removed an incorporation by reference from 16.05.04.

Next, **Ms. Prisock** noted that the ZBR requires agencies to conduct a comprehensive review of one-fifth of all agency rules each year. She mentioned that the Department worked with stakeholders to review nine chapters of rules in 2021. The changes:

- removed outdated requirements;
- rewrote and reorganized sections for clarity;
- added new language related to federal requirements, court orders, or Idaho Code references;
- included information that was negotiated with stakeholders; and
- relaxed requirements while protecting public safety.

**Ms. Prisock** said the Department achieved an overall 34 percent reduction in the total number of words and a 53 percent reduction in the number of restrictive words in the rewritten chapters. She briefly summarized the changes in each of the nine rule chapters reviewed by the Department.

**DISCUSSION:**

**Senator Wintrow** asked about the process to change the rules and whether the Department received any negative feedback. **Ms. Prisock** replied that the Department held 26 negotiated rulemaking sessions and one public hearing in 2021. She reported that the Department had good participation from stakeholders but little input from the public hearing. There were no written public comments for either omnibus docket, she said.

There was much Committee discussion regarding the difficulty in identifying changes to the rules without a redline version. **Vice Chairman Riggs** commented that the Committee will vote on the dockets at a future meeting to allow time for further review of the dockets.

**Chairman Martin** stated that the Department advised him of a possible legal issue pertaining to 16.03.09.772.01c. He intends to reject that portion of the rule, he said.

**DOCKET NO.  
16-0000-2100F**

**Notice of Omnibus Rulemaking (Fee Rule) - Proposed Rule**, p. 3. **Ms. Prisock** referred the Committee to her rules spreadsheet (Attachment 2). She advised that the Department made regular changes to three chapters. **Ms. Prisock** noted that the Department rewrote three chapters pursuant to the ZBR. She reported that 11 chapters were unchanged.

**Ms. Prisock** stated that the Department's changes to 16.03.22 (a) replaced the informal dispute resolution process with alternatives for facilities to appeal enforcement actions; and (b) clarified which assistance with medications course is acceptable to satisfy the staff training requirement for licensure of assisted living facilities. She advised that the Department changed 16.06.01 and 16.06.02 to (a) align rules to comply with H 0336 passed in 2021; (b) updated definitions for consistency across rule sections; and (c) clarified and updated age and eligibility requirements for various programs.

**Ms. Prisock** noted that the Department reviewed one-fifth of its fee rules pursuant to the ZBR. She said the changes to 16.02.08:

- removed unneeded and obsolete definitions and language;
- clarified language regarding miscarriage certificates;
- improved processes for correcting data entry errors and the timeline to provide supplemental information for death certificates;
- simplified requirements for local registration and consolidated several related sections; and
- removed an obsolete fee structure.

**Ms. Prisock** advised that the Department rewrote 16.02.25. She said the changes (a) shortened and simplified the chapter; (b) updated the current menu of tests offered by the Bureau of Laboratories; and (c) eliminated obsolete tests, added new tests, increased usability for customers, and updated fees based on a market analysis. **Ms. Prisock** reported that changes to 16.02.26 (a) clarified and removed obsolete language through the chapter; and (b) revised program eligibility language and clarified the effect of residence status.

**ADJOURNED:**

There being no further business at this time, **Vice Chairman Riggs** adjourned the meeting at 4:11 p.m.

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Senator Martin  
Chair

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Lena Amoah  
Secretary

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Jeanne Jackson-Heim  
Assistant Secretary