

AGENDA  
**HOUSE HEALTH & WELFARE COMMITTEE**  
9:00 A.M.  
Room EW20  
Tuesday, January 09, 2018

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
	Organizational Meeting	
	Rules Overview	Dennis Stevenson, Administration

COMMITTEE MEMBERS

Chairman Wood  
Vice Chairman Packer  
Rep Perry  
Rep Vander Woude  
Rep Redman  
Rep Blanksma

Rep Hanks  
Rep Kingsley  
Rep Zollinger  
Rep Wagoner  
Rep Chew  
Rep Rubel

COMMITTEE SECRETARY

Irene Moore  
Room: EW14  
Phone: 332-1138  
email: [hhel@house.idaho.gov](mailto:hhel@house.idaho.gov)

MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Tuesday, January 09, 2018  
**TIME:** 9:00 A.M.  
**PLACE:** Room EW20  
**MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel  
**ABSENT/  
EXCUSED:** None  
**GUESTS:** Alex Adams, Board of Pharmacy; Dennis Stevenson, Rules Coordinator; Francoise Cleveland, AARP - Idaho

**Chairman Wood** called the meeting to order at 9:00 a.m.

**Chairman Wood** welcomed **Rep. Wagoner** and the committee page, **Vaughn Schroeder**.

**Dennis Stevenson**, Administrative Rules Coordinator, Department of Administration, presented information on the Rules review process. Answering a question, he stated any existing rule can be brought before the committee for change using a Concurrent Resolution.

**Chairman Wood** designated **Representatives Packer, Redman, and Rubel** the session's committee proofreaders.

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

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Representative Wood  
Chair

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Irene Moore  
Secretary

AGENDA  
**HOUSE HEALTH & WELFARE COMMITTEE**  
9:00 A.M.  
Room EW20  
Wednesday, January 10, 2018

<b>DOCKET</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>27-0101-1702</u></a>	<u>Idaho State Board of Pharmacy</u> General Provisions - New Chapter	Alex Adams, Executive Director, Board of Pharmacy
<a href="#"><u>27-0102-1701</u></a>	Licensure & Registration - New Chapter - Fee Rule	Alex Adams
<a href="#"><u>27-0103-1701</u></a>	Pharmacy Practice - New Chapter	Alex Adams
<a href="#"><u>27-0104-1701</u></a>	Prescriptive Authority - New Chapter	Alex Adams
<a href="#"><u>27-0105-1701</u></a>	Drug Compounding - New Chapter	Alex Adams
<a href="#"><u>27-0106-1701</u></a>	CME, Manufacturing, and Distribution - New Chapter	Alex Adams
<a href="#"><u>27-0101-1701</u></a>	Rules Chapter Repeal	Alex Adams

COMMITTEE MEMBERS

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Rep Perry  
Rep Vander Woude  
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Rep Blanksma

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Rep Rubel

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MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

- DATE:** Wednesday, January 10, 2018
- TIME:** 9:00 A.M.
- PLACE:** Room EW20
- MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel
- ABSENT/  
EXCUSED:** Representative(s) Kingsley
- GUESTS:** Jen Adams and Paul Cady, ISU; John Sweatlock, Texas Tech.; Marcus Hurst, Bronlim's Pharmacy; Adam Chesler, Cardinal Health; Thomas Vanderhold, WSU/Self; Anthony Provenzano, Albertsons Companies; Tim Frost, Pacific University; Glenn Jefferson, U of I, WWAMI; Andy Snook, Alex Adams, and Misty Lawrence, Board of Pharmacy; Lorri Walmsley, Walgreens; Nicole Fitzgerald, ODP; Carlie Foster, Lobby Idaho; Ken McClure, IMA; Kris Ellis, Eiguren Ellis; Brand H. O.A.R.C.; Dennis Stevenson, Rules Coordinator; Ed Sperry, Board of Pharmacy; Mark Johnston, CVS Health; Pam Eaton, IRA/ISPA; Loretta Hicks, Veritas Advisors
- Chairman Wood** called the meeting to order at 9:00 a.m.
- MOTION:** **Rep. Redman** made a motion to approve the minutes of the January 9, 2018, meeting. **Motion carried by voice vote.**
- DOCKET NO. 27-0101-1702:** **Alex Adams**, Executive Director, Board of Pharmacy (BOP), presented **Docket No. 27-0101-1702**. This General Provisions Chapter has had definitions updated and two items added to the unprofessional conduct rule.
- Mark Johnson**, Senior Director, Regulatory Affairs, CVS Health, testified **in support of Docket No. 27-0101-1702** and the additional **Dockets No. 27-0102-1701, 27-0103-1701, 27-0104-1701, 27-0105-1701, 27-0106-1701, and 27-0101-1701**, all of which will protect the public safety while allowing unique solutions to the healthcare issue.
- For the record, no one else indicated their desire to testify.
- MOTION:** **Rep. Perry** made a motion to approve **Docket No. 27-0101-1702**. **Motion carried by voice vote.**
- DOCKET NO. 27-0102-1701:** **Alex Adams**, Executive Director, BOP, presented **Docket No. 27-0102-1701**. The updates eliminate six licensure categories, transition renewal deadlines to a birth month renewal model, adjust several fees, and provide a budget neutral end result.
- For the record, no one indicated their desire to testify.
- MOTION:** **Vice Chairman Packer** made a motion to approve **Docket No. 27-0102-1701**. **Motion carried by voice vote.**
- DOCKET NO. 27-0103-1701:** **Alex Adams**, Executive Director, BOP, presented **Docket No. 27-0103-1701**, which has been modified to focus on the "practice," not "business," of pharmacy. Updates include removal telepharmacy restriction, physician dispensing, return of unused medications, and one-time emergency refills.
- For the record, no one indicated their desire to testify.
- MOTION:** **Rep. Perry** made a motion to approve **Docket No. 27-0103-1701**. **Motion carried by voice vote.**

**DOCKET NO. 27-0104-1701:** **Alex Adams**, Executive Director, BOP, presented **Docket No. 27-0104-1701** for prescriptive authority. The added drugs or devices had to meet a four-part litmus test of statute conformation, current prescription in other jurisdictions, peer-review journal studies, and input from other BOPs. The language currently drafted for statins was narrowed to patients actively on a drug for diabetes. If **Docket No. 27-0104-1701** is approved, the BOP would pursue a Temporary Rule to change the verbiage to "statins for patients with diabetes."

Mandated protocol use, linked to clinical guidelines and evidence-based research, would exclude vulnerable populations and complicated diagnoses. Annual inspections and license renewals will include protocol review. Template protocols will be on the BOP website to guide pharmacists. Protocol workshops will also be held.

Answering questions, **Dr. Adams** said the proposed list contains only items meeting the four-part test and brought forward prior to the cutoff date. Suggestions after the cut-off date were set aside so members of the public had a full chance to consider the proposed list.

Discussion followed regarding Urinary Tract Infection (UTI) testing, statins prescribed without a new diagnosis, and diabetes drugs prescribed for reasons other than diabetes.

**Nicole Chopski**, Chairman, BOP, stated the Temporary Rule will require an actual diabetes diagnosis and be taken up at a meeting before July, 2018.

**MOTION:** **Rep. Blanksma** made a motion to approve **Docket No. 27-0104-1701**.

**Ken McClure**, Idaho Medical Association (IMA), testified in opposition to **Docket No. 27-0104-1701**. This Rule goes against the Patient-Centered Medical Home (PCMH) concept. No other state offers this authority to pharmacists and the IMA questions the quality trade off for access. A UTI may also indicate a sexually transmitted disease or cancer. There are also contra-indications for statin use known by the treating physician.

Responding to questions, **Dr. Adams**, clarified coordination of care is important and the board mandated the notification of patients' primary care physician general requirement with allowance for physician complaints.

**Dr. Glenn Jefferson**, Family Doctor, WWAMI, Lewiston, was invited to answer questions. Statins are generally a safe class of medicines which decrease heart attack risk. Patients may decline taking statins for a variety of reasons. Every patient should have their own provider of care with a pharmacist partnership.

**Andy Snook**, Deputy Attorney General, Council, Idaho BOP, stated he was unaware of a formal request for the Attorney General's opinion on this Rule.

**SUBSTITUTE MOTION:** **Rep. Rubel** made a motion to **HOLD Docket No. 27-0104-1701** in committee until an Attorney General's opinion could be received.

Answering further, **Mr. Snook** shared his opinion that the statins and UTIs fall within statute authority.

**MOTION WITHDRAWN:** After further discussion, **Rep. Rubel** withdrew her substitute motion.

For the record, no one else indicated their desire to testify.

**VOTE ON MOTION:** **Motion carried by voice vote.**

**DOCKET NO. 27-0105-1701:** **Alex Adams**, Executive Director, BOP, presented **Docket No. 27-0105-1701** for drug compounding. There is only a typographical correction in this Rule.

For the record, no one indicated their desire to testify.

**MOTION:** **Vice Chairman Packer** made a motion to approve **Docket No. 27-0105-1701**.  
**Motion carried by voice vote.**

**DOCKET NO. 27-0106-1701:** **Alex Adams**, Executive Director, BOP, presented **Docket No. 27-0106-1701**, with one change to align with the changes to over-the-counter sales at gas stations.

For the record, no one indicated their desire to testify

**MOTION:** **Rep. Blanksma** made a motion to approve **Docket No. 27-0106-1701**. **Motion carried by voice vote.**

**DOCKET NO. 27-0101-1701:** **Alex Adams**, Executive Director, BOP, presented **Docket No. 27-0101-1701** to repeal the original, combined Rule.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Chew** made a motion to approve **Docket No. 27-0101-1701**. **Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 10:45 a.m.

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Representative Wood  
Chair

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Irene Moore  
Secretary

AGENDA  
**HOUSE HEALTH & WELFARE COMMITTEE**  
9:00 A.M.  
Room EW20  
Thursday, January 11, 2018

<b>DOCKET</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">15-0103-1701</a>	Ombudsman for the Elderly Program	Cathy Hart, State Ombudsman
<a href="#">15-0202-1701</a>	Vocational Rehabilitation Services	Mike Walsh, Idaho Commission For The Blind
<a href="#">16-0104-1701</a>	EMS - Account III Grants	John Cramer
<a href="#">16-0204-1701</a>	Governing Rules - EMS - Account III Grant	John Cramer
<a href="#">16-0210-1701</a>	Idaho Reportable Diseases	Dr. Leslie Tengelsen, PhD, DVM
<a href="#">16-0212-1701</a>	Newborn Infants - Procedures and Testing	Jacqueline Watson

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

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Vice Chairman Packer  
Rep Perry  
Rep Vander Woude  
Rep Redman  
Rep Blanksma

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MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Thursday, January 11, 2018

**TIME:** 9:00 A.M.

**PLACE:** Room EW20

**MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel

**ABSENT/  
EXCUSED:** None

**GUESTS:** John Cramer, Trinetta Middlebrook, Frank Powell, Leslie Tengelsen, Jacquie Watson, Dieuwke A. Dizney-Spencer, Ryan Sonkup, Elke Shaw-Tulloch, Kathryn Turner, Wayne Denny, Brenda Gully, Matthew Dudley, and Lisa Hettinger, IDHW;

**Chairman Wood** called the meeting to order at 9:00 a.m. **Chairman Wood** turned the gavel over to **Vice Chairman Packer**.

**DOCKET NO. 15-0103-1701:** **Cathy Hart**, Idaho State Long-Term Care Ombudsman, Idaho Commission on Aging, presented **Docket No. 15-0103-1701**. In compliance with the federal ombudsman authorizing law under the Older Americans Act, the changes update terminology, clarify ombudsman access and information, establish the program as a health oversight agency, and ensure the program is a distinct and separate entity.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Perry** made a motion to approve **Docket No. 15-0103-1701**. **Motion carried by voice vote.**

**DOCKET NO. 15-0202-1701:** **Mike Walsh**, Rehabilitation Service Chief, Idaho Commission for the Blind and Visually Impaired, presented **Docket No. 15-0202-1701**. Changes incorporate the new Work Force Innovation and Opportunity Act (WIOA), federal updates, and cost-of-living increases.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Redman** made a motion to approve **Docket No. 15-0202-1701**. **Motion carried by voice vote.**

**DOCKET NO. 16-0104-1701:** **John Cramer**, Program Manager, Bureau of Emergency Medical Services (EMS), Department of Health and Welfare (DHW), Division of Public Health, presented **Docket No. 16-0104-1701**, a new chapter moving the EMS Dedicated Account III grants administered by the Bureau of EMS & Preparedness. Other changes include scoring elements update, additional definitions, and modification of the Grant Cycle to align with the EMS Advisory Committee meeting calendar.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Blanksma** made a motion to approve **Docket No. 16-0104-1701**. **Motion carried by voice vote.**

**DOCKET NO. 16-0204-1701:** **John Cramer**, presented **Docket No. 16-0204-1701**, the repeal of the original location of the EMS Dedicated Account III Rules.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Chew** made a motion to approve **Docket No. 16-0204-1701**. **Motion carried by voice vote.**



**DOCKET NO. 16-0210-1701:** **Dr. Leslie Tengelsen**, State Public Health Veterinarian, DHW, Division of Public Health, Bureau of Communicable Disease Prevention, presented **Docket No. 16-0210-1701**. Definition updates, reporting changes, and updated references were made to better protect the public health in alignment with Idaho Code regarding arboviral diseases.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Perry** made a motion to approve **Docket No. 16-0210-1701**. **Motion carried by voice vote.**

**DOCKET NO. 16-0212-1701:** **Jacqueline Watson**, Maternal and Child Health Section Manager, DHW, Division of Public Health, Bureau of Clinical and Preventive Services, presented **Docket No. 16-0212-1701**. Screening for Critical Congenital Heart Disease has been added to the Newborn Screening Program. The effective date of July 1, 2018, allows for the information to be added to the birth certificate system in Vital Records. Implementation will cost approximately \$20,000 annually, will be covered by an existing federal grant, and have no General Fund impact.

Answering questions, **Ms. Watson** said the screening uses a reusable portable sensor clipped onto the baby's hand and foot.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Redman** made a motion to approve **Docket No. 16-0212-1701**. **Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 9:46 a.m.

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Representative Packer  
Chair

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Irene Moore  
Secretary

AGENDA  
**HOUSE HEALTH & WELFARE COMMITTEE**  
**9:00 A.M.**  
**Room EW20**  
**Friday, January 12, 2018**

<b>DOCKET</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
	<u>Department of Health and Welfare</u>	
<a href="#"><u>16-0319-1701</u></a>	Certified Family Homes - Chapter Rewrite	Steven Millward, Licensing and Certification
<a href="#"><u>16-0507-1701</u></a>	Fraud, Abuse, and Misconduct - Investigation and Enforcement	Lori Stiles, Manager, Bureau of Audits & Investigations
<a href="#"><u>16-0601-1701</u></a>	Foster Care Reimbursement Rates	Sabrina Brown, Family and Community Services
<a href="#"><u>16-0601-1702</u></a>	Title IV-E - Funding and Eligibility	Carissa Decker, Family and Community Services
<a href="#"><u>16-0715-1701</u></a>	Waiver Process	Treena Clark, Behavioral Health
<a href="#"><u>16-0717-1701</u></a>	Substance Use Disorders Services	Treena Clark
<a href="#"><u>16-0730-1701</u></a>	Community Crisis Centers	Treena Clark
<a href="#"><u>16-0733-1701</u></a>	Adult Mental Health Services	Treena Clark
<a href="#"><u>16-0750-1701</u></a>	Mental Health Diversion Units	Treena Clark

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Wood  
Vice Chairman Packer  
Rep Perry  
Rep Vander Woude  
Rep Redman  
Rep Blanksma

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Rep Chew  
Rep Rubel

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MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Friday, January 12, 2018

**TIME:** 9:00 A.M.

**PLACE:** Room EW20

**MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel

**ABSENT/  
EXCUSED:** Representative(s) Vander Woude

**GUESTS:** Steve Millward, Carissa Decker, Lori Stiles, Frank Powell, Sabrina Brown, Michelle Weir, Miren Unsworth, Roxanne Printess, Treena Clark, and Don Lee, IDHW; Sarah Toevs, Idaho Caregiver Alliance; Jim Baugh, DRI; Christine Pisani, DD Council; Toni Brinegar, ICDD; Cathy Hart and Pam Oliacon, Commission on Aging; Teresa Harper, Compliance Services Assoc.; Brad Hunt, O.A.R.C.

**Chairman Wood** called the meeting to order at 9:00 a.m.

**Chairman Wood** turned the gavel over to **Vice Chairman Packer**.

**DOCKET NO. 16-0319-1701:** **Steve Millward**, Program Manager, Certified Family Home (CFH) Program, Division of Licensing and Certification, presented **Docket No. 16-0319-1701**, a chapter rewrite. Changes reflect updated requirements for department policies, programs, and Medicaid. The Centers for Medicare and Medicaid Services approved Idaho's transition plan to adopt the new Home and Community Based Services requirements on the condition that the CFH governing Rules be amended to incorporate eviction and appeal processes comparable to Idaho landlord tenant law. The remaining changes improve safety, provide operational relief, and clarify existing standards.

Answering questions, **Mr. Millward** said the land line to cell phone change is allowed within specific parameters and will be verified by a certifying agent. The carbon monoxide alarm requirement will become effective July 1, 2018, with no grandfathering, and exemption for entirely electric homes without attached garages.

**Sara Toevs**, Idaho Family Caregiver Alliance, testified **in support of Docket No. 16-0319-1701**. Responding to a question, she said 75% of CFH are caring for family members, care deeply about health and safety, and will provide the support needed to provide quality care. She was not concerned regarding the use of cell phones instead of land lines.

**Jim Baugh**, Executive Director, Disability Rights of Idaho (DRI), testified **in support of Docket No. 16-0319-1701**. DRI remains concerned with resident rights, reporting critical incidents, deaths, and allowing proper incident investigation.

**Toni Brinegar**, Idaho Council on Developmental Disabilities, testified **in support of Docket No. 16-0319-1701**. They particularly like the stricter money management guidelines, increased documentation of Participant Rights, improved admission guidelines, and additional services flexibility while preserving resident rights.

For the record, no one else indicated their desire to testify.

**MOTION:** **Rep. Redman** made a motion to approve **Docket 16-0319-1701**.

**SUBSTITUTE MOTION:** **Rep. Blanksma** made a substitute motion to approve **Docket 16-0319-1701**, with the exception of **Section 700.03**. Commenting to the motion, she expressed concern regarding cell phone reliability and suggested a waiver or variance for individual homes as a better approach.

Discussion followed regarding the land line and cell phone usage sections and the possibility of a Temporary Rule.

**MOTION WITHDRAWN:** **Rep. Blanksma** withdrew her substitute motion to approve **Docket 16-0319-1701**, with the exception of **Section 700.03**.

**VOTE ON ORIGINAL MOTION:** **Motion carried by voice vote.**

**DOCKET NO. 16-0507-1701:** **Lori Stiles**, Manager, Department of Health and Welfare (DHW), Medicaid Program Integrity Unity, Bureau of Audits and Investigations, presented **Docket No. 16-0507-1701**. The Medicaid provider ownership percentage is changed from 25% to 5% to align with state and federal rules and regulations. The ability to suspend payment prior to written notification is reinstated.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Blanksma** made a motion to approve **Docket No. 16-0507-1701**. **Motion carried by voice vote.**

**DOCKET NO. 16-0601-1701:** **Sabrina Brown**, Foster Care Recruitment and Retention Program Specialist, Child Welfare Policy Unit, DHW, Division of Family and Community Services, presented **Docket No. 16-0601-1701**. The changes represent a 20% monthly room and board rate increase to the foster care reimbursement rates in each age group, as approved by the 2017 Legislature for the 2018 State Fiscal Year.

For the record no one indicated their desire to testify.

**MOTION:** **Rep. Perry** made a motion to approve **Docket No. 16-0601-1701**. **Motion carried by voice vote.**

**DOCKET NO. 16-0601-1702:** **Carissa Decker**, Eligibility Supervisor, Family and Community Services, Child Welfare Funding Team, DHW, presented **Docket No. 16-0601-1702**. The changes align Title IV-E eligibility with the Social Security Act and Title 45 Part 1356 of the Code of Federal Regulations.

Answering a question, **Ms. Decker** said the eligibility criteria is not changing.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Perry** made a motion to approve **Docket No. 16-0601-1702**. **Motion carried by voice vote.**

**DOCKET NO. 16-0715-1701:** **Treana Clark**, Program Manager, DHW, Division of Behavioral Health, presented **Docket No. 16-0715-1701**, which clarifies an individual may seek a waiver from the Division.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Blanksma** made a motion to approve **Docket No. 16-0715-1701**. **Motion carried by voice vote.**

**DOCKET NO. 16-0717-1701:** **Treana Clark**, presented **Docket No. 16-0717-1701** to reinstate access to the recovery support services and stipulate only support providers can access the criminal history waiver process.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Blanksma** made a motion to approve **Docket No. 16-0717-1701**. **Motion carried by voice vote.**

**DOCKET NO. 16-0730-1701:** **Treena Clark**, presented **Docket No. 16-0730-1701**, to remove the duplicate description of the waiver process and references its location in the Behavioral Health Program Rules

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Perry** made a motion to approve **Docket No. 16-0730-1701**. **Motion carried by voice vote.**

**DOCKET NO. 16-0733-1701:** **Treena Clark**, presented **Docket No. 16-0733-1701**. This change removes the description of the waiver process and references its location in the Behavioral Health Program Rules.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Redman** made a motion to approve **Docket No. 16-0733-1701**. **Motion carried by voice vote.**

**DOCKET NO. 16-0750-1701:** **Treena Clark** presented **Docket No. 16-0750-1701**, which is updated to add reference language to the Behavioral Waiver Process.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Blanksma** made a motion to approve **Docket No. 16-0750-1701**. **Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 10:25 a.m.

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Representative Packer  
Chair

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Irene Moore  
Secretary

**AMENDED AGENDA #1**  
**HOUSE HEALTH & WELFARE COMMITTEE**  
**9:00 A.M.**  
**Room EW20**  
**Monday, January 15, 2018**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">RS25705</a>	Pharmacy - Licensing and Registration	Alex Adams, Brd of Pharmacy
<a href="#">RS25634</a>	Pharmacy - Drug Substitutions	Alex Adams
<a href="#">RS25635</a>	Controlled Substances	Alex Adams
<a href="#">RS25641</a>	Dentistry - Dental Specialists	Susan Miller, Brd of Dentistry
<a href="#">RS25642</a>	Dental Hygienists - Access Settings	Susan Miller
<a href="#">RS25643</a>	Dentistry - Convictions	Susan Miller
<a href="#">RS25644</a>	Board of Dentistry - Compensation	Susan Miller
<a href="#">RS25650</a>	Board of Acupuncture - Honorarium	Tana Cory, Occupational Licenses
<a href="#">RS25651</a>	Occupational Therapists	Tana Cory
<a href="#">RS25653</a>	Counselors and Therapists	Tana Cory
<a href="#">RS25724</a>	Occupational Licensing - Physicians	Kris Ellis, Idaho Orthopedic Society
<a href="#">RS25748</a>	Volunteer Health Care Providers	Ken McClure, Idaho Hospital Association
<a href="#">RS25759</a>	Opioid Antagonists	Rep. Christy Perry
<a href="#">RS25622</a>	Health Care - Insurance, Assistance	Russ Barron, DHW Dean Cameron, Dept. of Insurance
<a href="#">RS25614C1</a>	Medicaid - Nursing Facilities	Ali Fernandez, DHW
<a href="#">RS25615</a>	Behavioral Health - Council, Boards	Ross Edmunds, DHW
<a href="#">RS25637</a>	Tobacco - Retailers Fee	Ross Edmunds
<a href="#">RS25638</a>	Hospitalization - Mentally Ill	Ross Edmunds
<a href="#">RS25645</a>	Ombudsman For The Elderly - Reporting	Cathy Hart, DHW

COMMITTEE MEMBERS

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MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Monday, January 15, 2018

**TIME:** 9:00 A.M.

**PLACE:** Room EW20

**MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel

**ABSENT/  
EXCUSED:** None

**GUESTS:** Trinette Middlebrook, Beth Kriete, and Alexandra Fernandez, IDHW; Alex Adams, Kristina Jonas and Thomas Vanderholm, Board of Pharmacy; Bret Rumberk, Blue Cross; Kris Ellis, Id. Orthopedic Society; Tana Cory, Occup. Licenses; Piper Field, Board of Counselors Marriage & Family Therapists; Cathy Hart and Judy Tayler, Comm. on Aging; Kristin Guidry, Occupational Therapy Licensure Board; Susan Miller, BOD; Susie Pouliot, ID Medical Assn.; Toni Lawson, Id. Hospital Assn.; Lauren Necochea, ID Voices for Children

**Chairman Wood** called the meeting to order at 9:00 a.m.

**RS 25705:** **Alex Adams**, Executive Director, Idaho State Board of Pharmacy (BOP), presented **RS 25705** to streamline, modernize and harmonize with the pharmacy practice and controlled substances acts.

**MOTION:** **Rep. Perry** made a motion to introduce **RS 25705**. **Motion carried by voice vote.**

**RS 25634:** **Alex Adams**, Executive Director, Idaho State BOP, presented **RS 25634**, which allows a prescriber-authorized substitution for drug products within the same therapeutic class and equivalent therapeutic effect. Both the prescriber and patient must opt-in and the substitution must intend to lower the cost to the patient. In addition, the pharmacist must notify the original prescriber when a substitution occurs.

**MOTION:** **Rep. Redman** made a motion to introduce **RS 25634**. **Motion carried by voice vote.**

**RS 25635:** **Alex Adams**, Executive Director, Idaho State BOP, presented **RS 25635**, the annual Uniform Controlled Substances Act (CSA) update. This bill mirrors DEA scheduling decisions for acetyl fentanyl and dronabinol in oral solution.

**MOTION:** **Vice Chairman Packer** made a motion to introduce **RS 25635**. **Motion carried by voice vote.**

**RS 25641:** **Susan Miller**, Executive Director, Idaho Board of Dentistry (BOD), presented **RS 25641** to address the national issue for dental specialist recognition.

**MOTION:** **Rep. Blanksma** made a motion to introduce **RS 25641**. **Motion carried by voice vote.**

**RS 25642:** **Susan Miller**, Executive Director, Idaho BOD, presented **RS 25642** to extend dental hygienist access to oral healthcare programs and procedures.

**MOTION:** **Rep. Redman** made a motion to introduce **RS 25642**. **Motion carried by voice vote.**

**RS 25643:** **Susan Miller**, Executive Director, Idaho BOD, presented **RS 25643** to expand the definition of conviction with a finding of guilt under the Uniform Code of Military Justice and clarify the board's authority in applicable matters.

- MOTION:** **Vice Chairman Packer** made a motion to introduce **RS 25643. Motion carried by voice vote.**
- RS 25644:** **Susan Miller**, Executive Director, Idaho BOD, presented **RS 25644**, proposed legislation to make an inflationary adjustment in the board member compensation from \$50 to \$100 per day.
- MOTION:** **Rep. Redman** made a motion to introduce **RS 25644. Motion carried by voice vote.**
- RS 25650:** **Tana Cory**, Chief, Bureau of Occupational Licenses, presented **RS 25650** to increase the Board of Acupuncture honorarium from \$50 to \$100.
- MOTION:** **Rep. Blanksma** made a motion to introduce **RS 25650. Motion carried by voice vote.**
- RS 25651:** **Kristen Gidry**, Chairman, Occupational Therapy Licensure Board, presented **RS 25651**, which clarifies code definitions and removes obsolete board appointment and endorsement provisions.
- MOTION:** **Rep. Chew** made a motion to introduce **RS 25651. Motion carried by voice vote.**
- RS 25653:** **Tana Cory**, Chief, Bureau of Occupational Licenses on behalf of the Professional Counselors and Marriage and Family Therapists Board, presented **RS 25653** to move educational curricula requirements from statute and allow the Board to establish them in Rule.
- MOTION:** **Rep. Chew** made a motion to introduce **RS 25653. Motion carried by voice vote.**
- RS 25724:** **Kris Ellis**, on behalf of the Idaho Orthopedic Society, presented **RS 25724**, an Idaho licensure exemption for out-of state physicians, physician assistants, dietitians, and athletic trainers who are practicing temporarily in Idaho as part of an athletic event or other activity.
- MOTION:** **Rep. Blanksma** made a motion to introduce **RS 25724. Motion carried by voice vote.**
- RS 25748:** **Ken McClure**, representing the Idaho Medical Association, presented **RS 25748**, to encourage health care providers to volunteer their services for community health screening events.
- MOTION:** **Vice Chairman Packer** made a motion to introduce **RS 25748. Motion carried by voice vote.**
- RS 25759:** **Rep. Christy Perry** presented **RS 25759**. The purpose of this proposed legislation is to assure opioid antagonists are reported to the Prescription Monitoring Program.
- MOTION:** **Vice Chairman Packer** made a motion to introduce **RS 25759. Motion carried by voice vote.**
- RS 25622:** **Russ Barron**, Executive Director, Department of Health and Welfare (DHW), and **Dean Cameron**, Director, Department of Insurance (DOI) presented **RS 25622**, proposed legislation to allow the DOI to apply for a 1332 State Innovation Waiver to allow individuals below 100% of the Federal Poverty Level (FPL) to apply for Advanced Payment of Tax Credits and purchase private health insurance on Idaho's Health Insurance Exchange. It also allows the DHW to implement a 1115 Waiver to cover individuals with medically complex conditions within guidelines.
- Answering questions, **Director Barron** said the list of costly and complex medical conditions will be submitted during the waiver application. **Director Cameron** stated the proposed legislation remains broad because the federal discussion is ongoing. The medical conditions selected will provide the largest savings to Idaho citizens.



- MOTION:** Rep. Perry made a motion to introduce **RS 25622**. **Motion carried by voice vote.** Reps. Hanks, Vander Woude, and Zollinger asked to be recorded as voting **NAY**.
- RS 25614C1:** Ali Fernandez, Acting Bureau Chief, Bureau of Long Term Care, Division of Medicaid, DHW, presented **RS 25614C1**, to provide the authority to operate a quality performance incentive program for skilled nursing facilities and three veterans homes.
- MOTION:** Rep. Blanksma made a motion to introduce **RS 25614C1**. **Motion carried by voice vote.**
- RS 25615:** Ross Edmunds, DHW, presented **RS 25615**, to add and update definitions for peer services. Prevention representation is added to the regional boards and state planning council members. County commissioner representation is established for appointing authority.
- MOTION:** Vice Chairman Packer made a motion to introduce **RS 25615**. **Motion carried by voice vote.**
- RS 25637:** Ross Edmunds, DHW, presented **RS 25637**. The statewide tobacco retailer no-charge permit is changed to a \$100 fee permit. This is a result of Millennium Fund decreases. Collected fees will be remitted to the Prevention of Minors' Access to Tobacco Fund.
- MOTION:** Rep. Wagoner made a motion to introduce **RS 25637**. **Motion carried by voice vote.**
- RS 25638:** Ross Edmunds, DHW, presented **RS 25638**. Sometimes persons committed to the DHW for restoration of competency cannot be restored to competency to stand trial and be released. On those occasions the court switches the person to a civil commitment, requiring a level of care change. The previous thirty-day moving notification is being decreased to ten business days to allow timelier release to a more appropriate and cost-effective facility.
- MOTION:** Vice Chairman Packer made a motion to introduce **RS 25638**. **Motion carried by voice vote.**
- RS 25645:** Cathy Hart, Idaho State Long Term Care Ombudsman, Idaho Commission on Aging, presented **RS 25645**. The proposed changes are in compliance with the federal Ombudsman authorizing law under the Older Americans Act and new federal regulations. Clarification is made to terminology, and ombudsman access. Other changes insure the program is a distinct and separate entity.
- MOTION:** Rep. Redman made a motion to introduce **RS 25645**. **Motion carried by voice vote.**
- ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 10:02 a.m.

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Representative Wood  
Chair

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Irene Moore  
Secretary

AGENDA  
**HOUSE HEALTH & WELFARE COMMITTEE**  
9:00 A.M.  
Room EW20  
Tuesday, January 16, 2018

<b>DOCKET</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>16-0310-1706</u></a>	Medicaid Enhanced Plan Benefits - YES Program	George Guttierrez, Division of Medicaid
<a href="#"><u>16-0318-1701</u></a>	Medicaid Cost Sharing - Yes Program	George Gutierrez
<a href="#"><u>16-0301-1701</u></a>	Health Care Assistance for Families and Children	Camille Schiller, Division of Welfare
<a href="#"><u>16-0503-1701</u></a>	Contested Case Proceedings and Declaratory Rulings	Tamara Prisock, Support Services
<a href="#"><u>16-0737-1701</u></a>	Children's Mental Health Services	Trenea Clark, Division of Behavioral Health
<a href="#"><u>22-0113-1701</u></a>	Dietitians Licensure	Anne Lawler, Board of Medicine
<a href="#"><u>23-0101-1701</u></a>	Nursing Licensure	Sandra Evans, Board of Nursing

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Wood  
Vice Chairman Packer  
Rep Perry  
Rep Vander Woude  
Rep Redman  
Rep Blanksma

Rep Hanks  
Rep Kingsley  
Rep Zollinger  
Rep Wagoner  
Rep Chew  
Rep Rubel

COMMITTEE SECRETARY

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MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Tuesday, January 16, 2018

**TIME:** 9:00 A.M.

**PLACE:** Room EW20

**MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel

**ABSENT/  
EXCUSED:** None

**GUESTS:** Tamara Prisock, Tiffany Kinzler, George Gutierrez, Camille Schiller, Julie Hammen, Shannon Brady, Matt Wimmer, Treena Clark, Trinette Middlebrook, and Frank Powell, DHW; Barbara Grant, Sue Linja, and Sarah Varbeenya, ID Academy of Nutr. & Dietetics; Susan Odom and Sandy Evans, Board of Nursing; Anne Lawler, BD of Medicine; Jay Shaw, Admin. Rules

**Chairman Wood** called the meeting to order at 9:00 a.m.

**Chairman Wood** turned the gavel over to **Vice Chairman Packer**.

**DOCKET NO. 16-0310-1706:** **George Gutierrez**, Deputy Administrator, Policy, Division of Medicaid, presented **Docket No. 16-0310-1706** to operationalize the Youth Empowerment Services (YES) new system of care resulting from the Jeff D Settlement. New sections include definitions, eligibility, coverage, and providing authority for respite care services and person-centered planning services. Resultant Behavioral Health Plan cost savings will help support YES.

Answering questions, **Mr. Gutierrez** said the existing respite services in the Behavioral Health Plan will be transitioned on July 1, 2018, in coordination with Optum.

For the record no one indicated their desire to testify.

**MOTION:** **Rep. Redman** made a motion to approve **Docket No. 16-0310-1706. Motion carried by voice vote.**

**DOCKET NO. 16-0318-1701:** **George Gutierrez**, Deputy Administrator, Policy, Division of Medicaid, presented **Docket No. 16-0318-1701** to align YES with Idaho Code cost-sharing provisions for similar programs. A 5% adjusted gross family income monthly premium will be implemented for participants whose family income is above 150% of the Federal Poverty Guidelines (FPG). The fee schedule will be published and provided to participating families. A premium waiver can be requested and will not affect the child's Medicaid eligibility. Premiums will be recalculated annually or when notified of an income change.

It is estimated the premiums will generate \$57,000 in receipts in State Fiscal Year 2019. This will offset YES implementation costs. The effective date is July 1, 2018.

For the record no one indicated their desire to testify.

**MOTION:** **Rep. Zollinger** made a motion to approve **Docket No. 16-0318-1701. Motion carried by voice vote.**

**DOCKET NO. 16-0301-1701:** **Camille Schiller**, Program Manager, Health Coverage Assistance, Department of Health and Welfare (DHW), Division of Welfare, presented **Docket No. 16-0301-1701**, a chapter addition for eligibility income and age guidelines in response to the Jeff D Settlement.

For the record no one indicated their desire to testify.

**MOTION:** **Rep. Blanksma** made a motion to approve **Docket No. 16-0301-1701. Motion carried by voice vote.**

**DOCKET NO. 16-0503-1701:** **Tamara Prisock**, Administrator, Division of Licensing and Certification, DHW, presented **Docket No. 16-0503-1701**. In response to federal regulation changes and a court-ordered settlement agreement, changes are made to contested case proceedings. Definitions are updated, obsolete references are removed, fair hearing and administrative review time lines and processes are clarified, and additional Division of Welfare methods for filing or withdrawing appeals requests are provided.

For the record no one indicated their desire to testify.

**MOTION:** **Rep. Rubel** made a motion to approve **Docket No. 16-0503-1701. Motion carried by voice vote.**

**DOCKET NO. 16-0737-1701:** **Treana Clark**, Program Manager, Division of Behavioral Health, presented **Docket No. 16-0737-1701**. The appeals section has been updated for non-medicaid matters for YES. Children mental health services is streamlined to only reference the foster care program.

For the record no one indicated their desire to testify.

**MOTION:** **Rep. Redman** made a motion to approve **Docket No. 16-0737-1701. Motion carried by voice vote.**

**DOCKET NO. 22-0113-1701:** **Anne Lawler**, Executive Director, Board of Medicine, on behalf of the Dietetic Licensure Board, presented **Docket No. 22-0113-1701**. Amendments align with the Dietetic Practice Act. Updates include accrediting boards' titles, new terminology adopted by the Academy of Nutrition and Dietetics, and expedited licensure and biennial renewal options.

For the record no one indicated their desire to testify.

**MOTION:** **Rep. Chew** made a motion to approve **Docket No. 22-0113-1701. Motion carried by voice vote.**

**DOCKET NO. 23-0101-1701:** **Sandy Evans**, Executive Director, Board of Nursing, presented **Docket No. 23-0101-1701**. The changes simplify issuing a limited license to a nurse with a substance use and/or mental health disorder, clarify faculty teaching qualifications, removes the non-nurse faculty restriction, and clarifies nursing education program administrator qualifications.

Answering a question, **Ms. Evans** stated the nurses are monitored and lose their ability to practice, not their licenses. An outside subcontractor does daily monitoring. Master degree requirement changes reflect the current academic trend in graduate and post graduate multiple degrees.

For the record no one indicated their desire to testify.

**MOTION:** **Rep. Wagoner** made a motion to approve **Docket No. 23-0101-1701. Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 9:39 a.m.

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Representative Packer  
Chair

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Irene Moore  
Secretary

**AMENDED AGENDA #1**  
**HOUSE HEALTH & WELFARE COMMITTEE**  
**9:00 A.M.**  
**Room EW20**  
**Wednesday, January 17, 2018**

<b>DOCKET</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
	<u>Department of Health and Welfare</u>	
<a href="#"><u>16-0301-1702</u></a>	Health Care Assistance - Eligibility	Camille Schiller, Division of Welfare
<a href="#"><u>16-0305-1701</u></a>	Aid to the Aged, Blind and Disabled - Eligibility	Camille Schiller
<a href="#"><u>16-0309-1702</u></a>	Medicaid Basic Plan Benefits	Tiffany Kinzler, Division of Medicaid
<a href="#"><u>16-0310-1702</u></a>	Medicaid Enhanced Plan Benefits	Tiffany Kinzler
<a href="#"><u>16-0308-1701</u></a>	Temporary Assistance for Families in Idaho	Ericka Rupp, Division of Welfare
<a href="#"><u>16-0612-1701</u></a>	Idaho Child Care Program	Ericka Rupp

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Wood  
Vice Chairman Packer  
Rep Perry  
Rep Vander Woude  
Rep Redman  
Rep Blanksma

Rep Hanks  
Rep Kingsley  
Rep Zollinger  
Rep Wagoner  
Rep Chew  
Rep Rubel

COMMITTEE SECRETARY

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MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Wednesday, January 17, 2018

**TIME:** 9:00 A.M.

**PLACE:** Room EW20

**MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel

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

**GUESTS:** Tiffany Kinzler, William Deseran, Ericka Rupp, Camille Schiller, Julie Hammon, Shannon Brady, Frank Powell, Trinette Middlebrook, and Matt Wimmer, DHW; Brad Hunt, O.A.R.C.

**Chairman Wood** called the meeting to order at 9:00 a.m.

**MOTION:** **Vice Chairman Packer** made a motion to approve the minutes of the January 10, 2018, meeting. **Motion carried by voice vote.**

**Chairman Wood** turned the gavel over to **Vice Chairman Packer**.

**DOCKET NO. 16-0301-1702:** **Camille Schiller**, Program Manager, Health Coverage Assistance, Department of Health and Welfare (DHW), Division of Welfare, presented **Docket No. 16-0301-1702** to clarify when a citizen adopted foreign child may begin receiving Medicaid. The eligibility criteria for Medicaid for pregnant women is changed to allow coverage before the baby is born, in alignment with federal guidance. Child and family services eligibility includes reference to the state foster care program.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Rubel** made a motion to approve **Docket No. 16-0301-1702**. **Motion carried by voice vote.**

**DOCKET NO. 16-0305-1701:** **Camille Schiller**, Program Manager, Health Coverage Assistance, DHW Division of Welfare, presented **Docket No. 16-0305-1701**. Chapter changes clarify an individual receiving the Aid to the Aged, Blind and Disabled (AABD) cash supplement must also be receiving Social Security Income payments. Other changes simplify the effective date language and retirement fund definition. The allowance for participants in CFH has been corrected. An exception to asset transfer rules penalty has been added in compliance with federal guidance.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Wagoner** made a motion to approve **Docket No. 16-0305-1701**. **Motion carried by voice vote.**

**DOCKET NO. 16-0309-1702:** **Tiffany Kinzler**, Bureau Chief for Medical Care, Division of Medicaid, presented **Docket No. 16-0309-1702** with changes to align with federal law. Included are inpatient stay request updates, physician services caps removal, behavioral health terms and coverage definitions, and updated language to remove a conflict between covered age groups. The effective date is July 1, 2018.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Redman** made a motion to approve **Docket No. 16-0309-1702**. **Motion carried by voice vote.**

**DOCKET NO. 16-0310-1702:** **Tiffany Kinzler**, Bureau Chief for Medical Care, Division of Medicaid, presented **Docket No. 16-0310-1702**. In alignment with federal law, the changes update terminology, renumber sections, and update the eligibility for inpatient behavioral health services.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Redman** made a motion to approve **Docket No. 16-0310-1702**. **Motion carried by voice vote.**

**DOCKET NO. 16-0308-1701:** **Ericka Rupp**, Program Manager, Temporary Assistance for Needy Families (TANF), DHW, Division of Welfare, presented **Docket No. 16-0308-1701** and requested it be rejected by the committee because it does not cover all of the needed changes.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Blanksma** made a motion to reject **Docket No. 16-0308-1701**. **Motion carried by voice vote.** **Rep. Hanks** requested to be recorded as voting **NAY**.

**DOCKET NO. 16-0612-1701:** **Ericka Rupp**, Program Manager, Idaho Child Care Program, DHW Division of Welfare, presented **Docket No. 16-0612-1701**, with changes to the Idaho Child Care Program (ICCP). Updates are made for clear communication of definitions and chapter consistency. Clarification is also made to income consideration, payment for care, overpayment recovery, graduated benefits phase out, and safe sleep as a part of the ICCP certification.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Redman** made a motion to approve **Docket No. 16-0612-1701**. **Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 9:36 a.m.

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Representative Packer  
Chair

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Irene Moore  
Secretary

**AMENDED AGENDA #1**  
**HOUSE HEALTH & WELFARE COMMITTEE**  
**9:00 A.M.**  
**Room EW20**  
**Thursday, January 18, 2018**

<b>DOCKET</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>16-0309-1703</u></a>	Medicaid Basic Plan Benefits - Infant Toddler Program	Tiffany Kinzler, Division of Medicaid
<a href="#"><u>16-0310-1703</u></a>	Medicaid Enhanced Plan Benefits - Infant Toddler Program	Tiffany Kinzler
<a href="#"><u>16-0310-1701</u></a>	Medicaid Enhanced Plan Benefits - Behavioral Care Units	Sheila Pugatch, Division of Medicaid
<a href="#"><u>19-0101-1701</u></a>	Dentistry - Sedation Related Documents	Susan Miller, Board of Dentistry
<a href="#"><u>19-0101-1702</u></a>	Dentistry - Examination Rules	Susan Miller
<a href="#"><u>19-0101-1703</u></a>	Dentistry - Teledental Services	Susan Miller

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Wood  
Vice Chairman Packer  
Rep Perry  
Rep Vander Woude  
Rep Redman  
Rep Blanksma

Rep Hanks  
Rep Kingsley  
Rep Zollinger  
Rep Wagoner  
Rep Chew  
Rep Rubel

COMMITTEE SECRETARY

Irene Moore  
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email: hhel@house.idaho.gov



MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

- DATE:** Thursday, January 18, 2018
- TIME:** 9:00 A.M.
- PLACE:** Room EW20
- MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel
- ABSENT/  
EXCUSED:** None
- GUESTS:** Michael McGrane and Michelle Watkins, Idaho Dental Hygienists Assoc.; Kris Ellis, IHCA; Tina G. Wilson, ISBD-Public Member; Sheila Pugatch, Cindy Brock, Jodi Osborn, Tiffany Kinzler, Miren Unsworth, Chad Cardwell, Cameron Gilliland, Matt Wimmer, Camille Schiller, Trinette Middlebrook, and Frank Powell, IDHW; Christine Bubb, Alz. Asso.; Hillarie Hagen, Idaho Voices; Sarah Toevs, Id. Alz. Planning Group and Idaho Caregiver Alliance; Christine Pisani, DD Council; Jeremy Brown, Board of Vet Med; Françoise Cleveland, AARP Idaho; Linda Swanstrom, ISDA; Brad Hunt, O.A.R.C.; Elizabeth Criner, ISDA
- Chairman Wood** called the meeting to order at 9:00 a.m.
- MOTION:** **Rep. Redman** made a motion to approve the minutes of the January 11 and 12, 2018, meetings. **Motion carried by voice vote.**
- Chairman Wood** turned the gavel over to **Vice Chairman Packer.**
- DOCKET NO. 16-0309-1703:** **Tiffany Kinzler**, Bureau Chief for Medical Care, Division of Medicaid, presented **Docket No. 16-0309-1703**. Changes provide Medicaid payment for early intervention services by the Idaho's Infant Toddler Program (ITP). Three new sections support program eligibility, service coverage, limitations, provider qualifications, and reimbursement requirements. Changes also clarify service delivery requirements, the Medicaid fee schedule, and pre-payment and post-payment review.
- Answering questions, **Ms. Kinzler** said the family cutoff level for the Medicaid program is 185% of the Federal Poverty Guideline (FPG) and she will provide the Committee more FPG information. The use of less generous federal matching funds instead of Medicaid matching funds caused a wait list. Post payment review is an audit to assure paperwork is in order. Repayment may be required.
- Christine Pisani**, Executive Director, Idaho Council on Developmental Disabilities, testified in support of **Docket No. 16-0309-1703**. The changes provide improved Medicaid early intervention services access and insures compliance between the Division of Family and Community Services and the Bureau of Developmental Disabilities.
- For the record, no one indicated their desire to testify.
- MOTION:** **Rep. Redman** made a motion to approve **Docket No. 16-0309-1703**. **Motion carried by voice vote.**
- DOCKET NO. 16-0310-1703:** **Tiffany Kinzler**, Bureau Chief for Medical Care, Division of Medicaid, presented **Docket No. 16-0310-1703**. Medicaid and the ITP must provide access and reimbursement to early intervention services. Provisions for such access are moved from the Medicaid Enhanced Plan Benefit to new sections in the Medicaid Basic Plan Benefits. The changes become effective July 1, 2018.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Perry** made a motion to approve **Docket No. 16-0310-1703. Motion carried by voice vote.**

**DOCKET NO. 16-0310-1701:** **Sheila Pugatch**, Bureau Chief, Bureau of Financial Operations, Division of Medicaid, presented **Docket No. 16-0310-1701**. This Behavioral Care Unit change will provide an economic environment for more Behavioral Care Units in Idaho by shortening the entry timeframe to two months.

**Kris Ellis**, on behalf of the Idaho Healthcare Association, testified **in support of Docket No. 16-0310-1701**. Residents are forced to reside in a hospital medical unit because there is no where for them to go, especially in the Treasure Valley. As a benefit of this Rule change, one facility has already been approved and others are awaiting approval.

Answering a question, **Ms. Ellis** said an Office of Performance Evaluations report is due at the end of the month and they anticipate it will offer inspection suggestions. The extra funding and requirements for the Behavioral Care Units have already improved the inspection process.

**Sarah Toevs**, Idaho Alzheimer's Planning Group, Idaho Family Caregiver Alliance, testified **in support of Docket No. 16-0310-1701**. Additional beds address existing appropriate care access challenges. This is a proactive approach when considering the anticipated wave of dementia disease.

For the record, no one else indicated their desire to testify.

**MOTION:** **Rep. Chew** made a motion to approve **Docket No. 16-0310-1701. Motion carried by voice vote.**

**DOCKET NO. 19-0101-1701:** **Susan Miller**, Executive Director, Idaho Board of Dentistry, presented **Docket No. 19-0101-1701**. Due to the discovery of substantive text being omitted, Ms. Miller requested the committee reject the Rule change. If rejected, Temporary Rules can be adopted and the text republished.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Blanksma** made a motion to reject **Docket No. 19-0101-1701. Motion carried by voice vote.**

**DOCKET NO. 19-0101-1702:** **Susan Miller**, Executive Director, Idaho Board of Dentistry, presented **Docket No. 19-0101-1702** to clarify the acceptance of clinical examination results and criteria, update language for dental assistant duties, and simplify prescription drug language under unprofessional conduct.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Blanksma** made a motion to approved **Docket No. 19-0101-1702. Motion carried by voice vote.**

**DOCKET NO. 19-0101-1703:** **Susan Miller**, Executive Director, Idaho Board of Dentistry, presented **Docket No. 19-0101-1703** for volunteer dental hygiene services and license endorsements. A new section sets parameters for oral healthcare delivery through tele-dentistry.

Answering a question, **Ms. Miller** stated the dental hygienist with extended license endorsement for tele-dentistry would work in collaboration with a nearby supervising dentist.

The committee invited **Elizabeth Criner**, Idaho State Dental Association, to answer a question. The Health Policy Institute indicates Idaho dentist disbursement to be 15 minutes within 90% of the population. Some dentists may reside in an urban area and have additional offices in rural communities, which they visit regularly.

**Francoise Cleveland**, Associate State Director of Advocacy, American Association of Retired Persons (AARP) Idaho, testified regarding their concerns with **Docket No. 19-0101-1703**. The 75 miles distance restriction goes against the intention of telehealth and tele-dentistry given the lack of dentist access in rural areas. The national trend is elimination of geographic restrictions.

**Tina Wilson**, Consumer Member, State Board of Dentistry, testified **in support of Docket No. 19-0101-1703**. The mileage discussion was lengthy and takes into account the availability of dentist hands-on diagnosis.

**Elizabeth Criner**, Idaho State Dental Association, testified the dentist is the team member with patient liability. The seventy-five miles does not impact specialist consultation.

**MOTION:** **Rep. Wagoner** made a motion to approve **Docket No 19-0101-1703**. He pointed out a typographic error in **Section 066.01** which states "within seventy-five (75)."

The committee asked **Francoise Cleveland** further questions. She stated the seventy-five mile restriction limits dental hygienist practice, peoples access and choice before any problems have been noted.

Answering further, **Susan Miller** explained the mileage restriction provides patient continuity of care, and prevents an out-of-state dentist licensed in Idaho from participating in tele-dentistry. Such dentist would not be familiar with area dentists for referrals. If this guardrail proves to be too restrictive, it will be reviewed.

**MOTION:** **Rep. Blanksma** called for the question. **Motion carried by voice vote.**

**VOTE ON ORIGINAL MOTION:** **Motion carried by voice vote, Reps. Hanks and Kingsley** requested to be recorded as voting **NAY**.

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 10:14 a.m.

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Representative Packer  
Chair

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Irene Moore  
Secretary

**AMENDED AGENDA #1**  
**HOUSE HEALTH & WELFARE COMMITTEE**  
**9:00 A.M.**  
**Room EW20**  
**Friday, January 19, 2018**

<b>DOCKET</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>24-0601-1701</u></a>	Occupational Therapists and Occupational Therapy Assistants	Tana Cory, Bureau of Occupational Licenses
<a href="#"><u>24-1201-1701</u></a>	State Board of Psychologist Examiners	Tana Cory
<a href="#"><u>24-2401-1701</u></a>	Genetic Counselors Licensing Board	Tana Cory
<a href="#"><u>24-1301-1701</u></a>	Physical Therapy Licensure Board	Tana Cory
<a href="#"><u>24-2301-1701</u></a>	Speech, Hearing and Communication Services	Tana Cory
<a href="#"><u>24-2301-1702</u></a>	Speech, Hearing and Communication Services	Tana Cory
<a href="#"><u>24-0301-1701</u></a>	State Board of Chiropractic Physicians	Tana Cory

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Wood  
Vice Chairman Packer  
Rep Perry  
Rep Vander Woude  
Rep Redman  
Rep Blanksma

Rep Hanks  
Rep Kingsley  
Rep Zollinger  
Rep Wagoner  
Rep Chew  
Rep Rubel

COMMITTEE SECRETARY

Irene Moore  
Room: EW14  
Phone: 332-1138  
email: [hhel@house.idaho.gov](mailto:hhel@house.idaho.gov)

MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Friday, January 19, 2018

**TIME:** 9:00 A.M.

**PLACE:** Room EW20

**MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel

**ABSENT/  
EXCUSED:** None

**GUESTS:** Brian Darcy, IESDB; Steven Snow, CDHH; Françoise Cleveland, AARP-Idaho; Kristin Guidry, OT Lic. Board; Brad Hunt, O.A.R.C.; Maurice Ellsworth, IBOL

**Chairman Wood** called the meeting to order at 9:00 a.m.

**MOTION:** **Rep. Redman** made a motion to approve the minutes of the January 15, 16, and 17, 2018, meetings. **Motion carried by voice vote.**

**Chairman Wood** turned the gavel over to **Vice Chairman Packer**.

**DOCKET NO. 24-0601-1701:** **Ms. Kristin Guidry**, Chairman, Public Member, Occupational Therapy Licensure Board, presented **Docket No. 24-0601-1701** to lower fees. The Occupational Therapist original fee is lowered from \$100 to \$80 and the renewal fee is lowered from \$55 to \$45. The Occupational Therapy Assistant license original fee is lowered from \$75 to \$60 and the renewal fee is lowered from \$45 to \$30. The inactive license fee is lowered from \$25 to \$20.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Redman** made a motion to approve **Docket No. 24-0601-1701**. **Motion carried by voice vote.**

**DOCKET NO. 24-1201-1701:** **Dr. Linda Hatzenbuehler**, Idaho Board of Psychologist Examiners, presented **Docket No. 24-1201-1701**. The changes will insure temporary licensees with prescription authority certification are board certified before issuing a prescription. It also shortens the face-to-face for category three service extenders, clarifies the telepsychology services definition, and when the informed consent is given.

**MOTION:** **Rep. Blanksma** made a motion to approve **Docket No. 24-1201-1701**.

**Françoise Cleveland**, AARP, testified in support of **Docket No. 24-1201-1701**.

**VOTE ON  
MOTION:** **Motion carried by voice vote.**

**DOCKET NO. 24-2401-1701:** **Tana Cory**, Chief, Bureau of Occupational Licenses, presented **Docket No. 24-2401-1701** on behalf of the Genetic Counselors Licensing Board. Lower fees include the application fee, from \$500 to \$200, licensure fee, from \$500 to \$200, renewal fee, from \$500 to \$200, provisional license fee, from \$500 to \$200, and endorsement license fee, from \$500 to \$200.

For the record no one indicated their desire to testify.

**MOTION:** **Rep. Kingsley** made a motion to approve **Docket No. 24-2401-1701**. **Motion carried by voice vote.**

**DOCKET NO. 24-1301-1701:** **Dr. Brian White**, Volunteer Board Member, Physical Therapy Licensure Board, presented **Docket No. 24-1301-1701**, which removes outdated language, updates in accordance with Idaho Code, and clarifies educational requirements.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Blanksma** made a motion to approve **Docket No. 24-1301-1701. Motion carried by voice vote.**

**DOCKET NO. 24-2301-1701:** **Dr. Gayle Chaney**, Chairman, Idaho Speech Hearing and Communication Board presented **Docket No. 24-2301-1701** to clarify who can do newborn hearing screening tests. It also updates the annual continuing education to a total of thirty hours every three years.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Chew** made a motion to approve **Docket No. 24-2301-1701. Motion carried by voice vote.**

**DOCKET NO. 24-2301-1702:** **Ms. La Vona Andrew**, Volunteer Member, Idaho Speech Hearing and Communication Services Licenses Board, presented **Docket No. 24-2301-1702**, which implements **H 46**. Details include the code of professional conduct, definitions, application process, fees, license qualifications, out-of-state registration requirements, non-licensed interpreter conditions, examination options, acceptable certifications, conviction review, provisional permits, and the code of ethics.

Answering a question, **Ms. Andrew** stated the twenty-one year age requirement is current to law and is expected to be amended to reduce it to age 18.

**Director Steven Snow**, Executive Director, Council for the Deaf and Hard of Hearing, testified **in support of Docket No. 24-2301-1702.**

For the record, no one else indicated their desire to testify.

**MOTION:** **Rep. Wagoner** made a motion to approve **Docket No. 24-2301-1702. Motion carried by voice vote.**

**DOCKET NO. 24-0301-1701:** **Maurie Ellsworth**, General Counsel, Bureau of Occupational Licenses, on behalf of the Board of Chiropractic Physicians presented **Docket No. 24-0301-1701**, which implements **H 195**. The title clarifies that it applies to clinical nutrition practice by chiropractors without the additional clinical nutritional certification provided by **H 195**. Changes stipulate non-prescription products, citation references, certification fees, application, education, renewal, re-issuance, products, administering guidelines, and the handling and disposal of medical waste.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Redman** made a motion to approve **Docket No. 24-0301-1701. Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 9:39 a.m.

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Representative Packer  
Chair

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Irene Moore  
Secretary

**AMENDED AGENDA #1**  
**HOUSE HEALTH & WELFARE COMMITTEE**  
**9:00 A.M.**  
**Room EW20**  
**Monday, January 22, 2018**

<b>DOCKET</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>16-0309-1701</u></a>	Medicaid Reimbursement - Schools	Art Evans, Division of Medicaid
<a href="#"><u>16-0310-1705</u></a>	Developmental Disability Waiver	Art Evans
<a href="#"><u>16-0310-1707</u></a>	Developmental Disabilities Assessment Tool	Art Evans
<a href="#"><u>16-0309-1704</u></a>	Developmental Disabilities Assessment Tool	Art Evans
<a href="#"><u>16-0417-1702</u></a>	Residential Habilitation Services	Eric Brown, Division of Licensing and Certification
<a href="#"><u>16-0417-1701</u></a>	Residential Habilitation Services - Chapter Repeal	Eric Brown

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Wood  
Vice Chairman Packer  
Rep Perry  
Rep Vander Woude  
Rep Redman  
Rep Blanksma

Rep Hanks  
Rep Kingsley  
Rep Zollinger  
Rep Wagoner  
Rep Chew  
Rep Rubel

COMMITTEE SECRETARY

Irene Moore  
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MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Monday, January 22, 2018

**TIME:** 9:00 A.M.

**PLACE:** Room EW20

**MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel

**ABSENT/  
EXCUSED:** None

**GUESTS:** Art Evans, Medicaid; Eric Brown, Sandy Frelly, and Pam Loveland-Schmidt, DHW - L & C; Matt Wimmer and Joyce Broadsword, DHW; Bill Benkula, IACP; Toni Brinegar and Christine Pisani, ICDD; George Gutierrez, DHW-Medicaid; Frank Powell, DHW-Rules Unit; Colby Cameron, Sullivan & Reberger; Brad Hunt, O.A.R.C.

**Chairman Wood** called the meeting to order at 9:00 a.m.

**Chairman Wood** turned the gavel over to **Vice Chairman Packer**.

**DOCKET NO. 16-0309-1701:** **Arthur Evans**, Bureau Chief, Developmental Disabilities (DD) Services, Division of Medicaid, Department of Health and Welfare (DHW) presented **Docket No. 16-0309-1701**. In alignment with existing therapy rules, the school reimbursement timeframe has been updated. This provides reimbursement for services provided between the time the need is identified by the school and the time a recommendation or referral for a Medicaid-reimbursable service is received.

Answering a question, **Mr. Evans**, said the fiscal impact reflects services not previously billed which the schools can now receive retroactively.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Redman** made a motion to approve **Docket No. 16-0309-1701**. **Motion carried by voice vote.**

**DOCKET NO. 16-0310-1705:** **Arthur Evans**, Bureau Chief, DD Services, Division of Medicaid, DHW, presented **Docket No. 16-0310-1705**. In compliance with a class action lawsuit settlement, all DD waiver participants will now have the option to pursue an exception review based on not otherwise identified health and safety needs. The exception review creates a well-defined, expedited, and better-functioning process.

Answering a question, **Mr. Evans**, explained the lawsuit challenged budget methodology, due process, and participant ability to receive background information. Rejection of the rule would put them out of compliance with the settlement agreement.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Perry** made a motion to approve **Docket No. 16-0310-1705**. **Motion carried by voice vote.**

**DOCKET NO. 16-0310-1707:** **Arthur Evans**, Bureau Chief, DD Services, Division of Medicaid, DHW, presented **Docket No. 16-0310-1707**. As part of a lawsuit settlement agreement, a new DD assessment tool will be used. References to the previous assessment tool and terminology are updated to ensure assessments remain valid, reliable, and continue to be supported.



Answering a question, **Mr. Evans** explained the implementation cost is based on the tool purchase, training, and the independent assessment contractor's costs. The updates support changing the assessment tool, should the new tool lose its reliability.

**Christine Pisani**, Executive Director, Idaho Council on DD, testified **in support of Docket No. 16-0310-1707**. The changes replace an archaic developmental tool which was demeaning and insulting. The new tool is written in plain language, presented in a strength-based approach, and allows individuals to have direct input.

For the record, no one else indicated their desire to testify.

**MOTION:** **Rep. Chew** made a motion to approve **Docket No. 16-0310-1707**. **Motion carried by voice vote.** **Rep. Hanks** requested to be recorded as voting **NAY**.

**DOCKET NO. 16-0309-1704:** **Arthur Evans**, Bureau Chief, DD Services, Division of Medicaid, DHW, presented **Docket No. 16-0309-1704**. Under a court-approved settlement agreement the Department is implementing a new DD assessment tool. References are updated to delete the previous assessment tool.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Rubel** made a motion to approve **Docket No. 16-0309-1704**.

**Rep. Hanks** stated she will be voting against **Docket No. 16-0309-1704** out of concern for the cost and the need for a court order, although she supports adults with disabilities.

**VOTE ON MOTION:** **Motion carried by voice vote.** **Rep. Hanks** requested to be recorded as voting **NAY**.

**DOCKET NO. 16-0417-1702:** **Eric Brown**, Program Manager, Division of Licensing and Certification, DHW, presented **Docket No. 16-0417-1702**, with an effective date of July 1, 2018. This is a chapter rewrite for residential habilitation services to adults with disabilities. The changes update current best practices, remove obsolete practices, and make the chapter more understandable and user friendly. Application requirements are updated, reporting requirements are reduced, and the reporting time frame is lengthened. Additions include staff qualification requirements, documentation of agency staff training, specific training topics, and language regarding handling participants' medications.

**Bill Benkula**, Legislative Chair, Idaho Association of Community Providers, testified **in support of Docket No. 16-0417-1702**. He was pleased with the amount of hearings and stakeholder input. The removed requirements were burdensome and did not measure up to their intent.

**Toni Brinegar**, Idaho Council on DD, Program Specialist, testified **in support of Docket No. 16-0417-1702**. The changes align with the Community NOW! Report.

Answering questions, **Ms. Brinegar** said the extensive stakeholder input used in this re-write reflects a movement toward a more participant-based service instead of the current provider-driven system.

For the record, no one else indicated their desire to testify.

**MOTION:** **Rep. Redman** made a motion to approve **Docket No. 16-0417-1702**. **Motion carried by voice vote.**

**DOCKET NO. 16-0417-1701:** **Eric Brown**, Program Manager, Division of Licensing and Certification, DHW, presented **Docket No. 16-0417-1701**, a chapter repeal.

For the record, no one indicated their desire to testify.

**MOTION:** Rep. Blanksma made a motion to approve **Docket No. 16-0417-1701. Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 10:01 a.m.

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Representative Packer  
Chair

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Irene Moore  
Secretary

AGENDA  
**HOUSE HEALTH & WELFARE COMMITTEE**  
9:00 A.M.  
Room EW20  
Tuesday, January 23, 2018

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">RS25777</a>	Idaho Immunization Assessment Board	Sharon Hawkins, Idaho Association of Commerce and Industry
	Your Health Idaho 2018 Legislative Update	Pat Kelly, Executive Director
	Loan Repayment Programs for Physicians	Mary Sheridan, Bureau of Rural Health & Primary Care, DHW  Susie Pouliot, Rural Physician Incentive Program

COMMITTEE MEMBERS

Chairman Wood  
Vice Chairman Packer  
Rep Perry  
Rep Vander Woude  
Rep Redman  
Rep Blanksma

Rep Hanks  
Rep Kingsley  
Rep Zollinger  
Rep Wagoner  
Rep Chew  
Rep Rubel

COMMITTEE SECRETARY

Irene Moore  
Room: EW14  
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MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

- DATE:** Tuesday, January 23, 2018
- TIME:** 9:00 A.M.
- PLACE:** Room EW20
- MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel
- ABSENT/  
EXCUSED:** Representative Perry
- GUESTS:** Hillarie Hagen, Idaho Voices; Sharon Hawkins, IACI; Dieuwke A. Disney-Spencer and Mary Sheridan, DHW-Division of Public Health; Susie Pouliot, Idaho Medical Assoc.; Stephanie Sayegh, Casey Suter, and Elke Shaw-Tulloch, DHW
- Chairman Wood** called the meeting to order at 9:00 a.m.
- MOTION:** **Rep. Redman** made a motion to approve the minutes of the January 18 and 19, 2018, meetings. **Motion carried by voice vote.**
- RS 25777:** **Sharon Hawkins**, Idaho Association of Commerce and Industry, presented **RS 25777**, for the Idaho Immunization Assessment Board. The proposed Legislation makes a grammatical correction, adds one private self-funded insurance plan member, removes late or non-payment interest, and resets to a five-year sunset date of July 1, 2024.
- Answering a question, **Ms. Hawkins** said the board manages immunization assessment funding and is not public, so members from providers not offering vaccinations would not be included.
- MOTION:** **Rep. Blanksma** made a motion to introduce **RS 25777**. **Motion carried by voice vote.**
- Pat Kelly**, Executive Director, Your Health Idaho (YHI), presented the 2018 YHI Legislative Update. Their main goal is to maintain maximum control of Idaho's health insurance marketplace with minimal cost to Idaho citizens.
- In 2017 YHI experienced two enrollment periods, made extensive customer experience improvements, provided more product choices, remained nimble and adaptive to policy changes, maintained financial sustainability, increased customer service knowledge and skills, implemented technological improvements, and increased the number of consumer connectors.
- The 2017 enrollment reached 93,000 Idahoans. More enrollees are women and adults over 55 years of age. Of the enrollees, 54% were between the ages of 26 and 54, 86% received a tax credit, and 71% selected a silver plan.
- Total liabilities and net position is \$33,924,000, with \$23,233,000 in technology long-term assets. YHI implemented new requirements for special enrollments and provided a total of 299 plans, four medical carriers, and three dental carriers.
- YHI continues to prepare for any future process and system changes, such as cost share reduction and the 2019 individual mandate.
- Chairman Wood** turned the gavel over to **Vice Chairman Packer**.

**Mary Sheridan**, Bureau Chief, Bureau of Rural Health and Primary Care, Division of Public Health, Department of Health and Welfare (DHW), presented the loan repayment programs for physicians in the federally designated health professional shortage areas (HPSA). The action plan includes access to community paramedics, loan repayment, and telehealth. There are two loan repayment programs: the State Loan Repayment Program (SLRP), and the Rural Physician Incentive Program (RPIP).

The four-year SLRP federal grant provides \$250,000 per year and is in year four. Every federal loan repayment dollar must be matched by employers on behalf of the state. It requires an application by the clinician and the employer. The maximum grant is \$25,000 per year for two years, with renewal opportunities. Sites must offer a sliding fee scale and cannot deny service based on insurance status or ability to pay. Thirty-four clinicians are participating at twenty sites. Of the seventeen clinicians who completed a two-year service obligation, eight applied for continuations, and nine are practicing at their original SLRP site.

The Rural Physician Incentive Program (RPIP) is funded by students of the University of Washington and University of Utah medical school at an annual rate of \$1,608 per student. With 181 students in the programs the total annual receipt is \$291,048. Application priority is given for primary care, internal medicine, and pediatrics. Also given priority are those who paid into the fund or were Idaho residents before medical school. Participants can receive a maximum of \$25,000 per year for four years.

**Susie Pouliot**, Idaho Medical Association, Chair, RPIP Board, stated growing the HPSA physician workforce is a priority issue. Last year's award increase to \$100,000 has made Idaho more competitive with surrounding states and increased the outflow of monies from the RPIP pool. Continuing the current financial formula limits annual awards to three or four and will exhaust funds in six years. After considering many funding options, the Board will be presenting legislation for a \$640,000 appropriation, which, when combined with the \$320,000 expected from students, will provide \$960,000 per year going into the fund and increase funding to more applicants.

Responding to questions, **Ms. Pouliot** said the eight physicians this year receiving awards included two partial awards. Each application is scored on the area of practice, education components, payment into the fund, graduation from an Idaho high school, Idaho College of Osteopathic Medicine (ICOM) attendance, personal interests, and the sponsoring entity statement.

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

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Representative Packer  
Chair

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Irene Moore  
Secretary

AGENDA  
**HOUSE HEALTH & WELFARE COMMITTEE**  
9:00 A.M.  
Lincoln Auditorium  
Wednesday, January 24, 2018

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">H 338</a>	Idaho Health Care Plan - Informational Hearing	Russ Barron, Director, Department of Health and Welfare  Dean Cameron, Director, Department of Insurance

COMMITTEE MEMBERS

Chairman Wood  
Vice Chairman Packer  
Rep Perry  
Rep Vander Woude  
Rep Redman  
Rep Blanksma

Rep Hanks  
Rep Kingsley  
Rep Zollinger  
Rep Wagoner  
Rep Chew  
Rep Rubel

COMMITTEE SECRETARY

Irene Moore  
Room: EW14  
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MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Wednesday, January 24, 2018

**TIME:** 9:00 A.M.

**PLACE:** Lincoln Auditorium

**MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel

**ABSENT/  
EXCUSED:** None

**GUESTS:** The sign-in sheet will be retained in the committee secretary's office until the end of the session. Following the end of the session, the sign in sheet will be filed with the minutes in the Legislative Library.

**Chairman Wood** called the meeting to order at 9:00 a.m.

**Russ Barron**, Director, Department of Health and Welfare (DHW), presented information on the Idaho Health Care Plan Dual Waiver Strategy, a collaborative plan between the DHW and the Department of Insurance (DOI) resulting in the 1115 Medicaid Waiver and the 1332 Insurance Waiver. The two waivers address high insurance premiums and health care coverage for citizens who are below the 100% Federal Poverty Limit (FPL).

**Dean Cameron**, Director, Idaho DOI, presented additional information. A sustainable insurance market is a mix of healthy and unhealthy participants. Prior to the Affordable Care Act (ACA) claims totaling \$173M were paid by \$216M in collected premiums. Today \$542M of collected premiums pay over \$600M in claims. The ACA concept of the healthy offsetting the unhealthy, without management tools, proved inaccurate as those with health conditions came in large numbers and many without health conditions left. This cycle continues due to subsequent rate increases.

This legislation addresses individuals with high-cost claims and provides a subsidy for persons who fall below 100% FPL. It is separate from Executive Order 2018-2.

Due to the ACA and Supreme Court ruling, states have been forced to either implement Medicaid expansion (costing \$42M) or do nothing, which allows rates to rise at unsustainable levels and deplete pool participation until the market collapses.

**Lori Wolff**, Deputy Director, DHW, provided additional details. Medicaid covers children (up to 185% FPL) and parents (up to 26% FPL). Tax credits (APTC) are paid for children, after Medicaid, (185% to 400% FPL) and adults (100% to 400% FPL). Legal non-citizens receive APTC (up to 100% FPL) because they are not eligible for Medicaid. The other groups receiving Medicaid are the aged/disabled (up to 83% FPL), pregnant women (up to 138% FPL), and persons with breast & cervical cancer diagnoses (up to 200% FPL). Non-disabled adult U.S. citizens under 100% FPL do not qualify for Medicaid or APTC coverage.

The 1332 Waiver provides APTC access for individuals under 100% FPL. It also waives the APTC ban on U.S. citizens, covers working/taxed citizens with APTC, and stipulates individuals up to 100% FPL are not Medicaid eligible. Applicants must file a federal income tax return. The waiver impacts persons under sixty-five years of age, excluding those eligible for Medicaid programs or with employer supported coverage.

The 1115 DHW Medicaid Waiver identifies individuals with high-cost complex medical needs and provides a new group covered by Medicaid. The up to 400% FPL covers the span of individuals receiving APTC on the exchange. It includes persons under 65 years of age who are ineligible for the full Medicaid program and without employer sponsored plans. The customers could be identified through health care providers or carriers and referred to the DHW for eligibility determination. Participants with higher income levels will have a cost share for their premiums.

The 1115 Waiver helps balance the risk pool by identifying high-cost conditions. Those listed are hemophilia, bone marrow disorders, cystic fibrosis, paralytic syndromes, select severe cancers, and multiple sclerosis. Also on the list are blood, liver, and selected nervous system diseases. These conditions represent 2% of the population and 40% of the claim costs. Pulling these individuals into Medicaid provides a payment split of 70% federal and 30% state. After moving these individuals to Medicaid, the market is expected to normalize and decrease insurance rates by 20%.

Both waivers have to go together. In order to be approved for the 1332 Waiver, Idaho must prove budget neutrality. APTC currently pays \$550M to 80,000 individuals. By reducing insurance costs through the 1115 Waiver, the cost savings of \$135M to \$150M is reinvested to cover 35,000 additional individuals now eligible for private coverage through the 1332 Waiver, while maintaining the APTC federal cost of \$550M.

**Director Cameron** shared the plan for the next steps. Although their federal partners continue to make changes, the DHW will apply to the Department of Health and Human Services (CMS) for the 1115 Waiver this month. The DOI hopes to apply for the 1332 Waiver in February. Contingent on legislative approval during this session and prior to federal approval, both waivers will proceed. The 1115 Waiver CMS approval is anticipated by March or April. The 1332 Waiver approval from the Center for Consumer Information and Insurance Oversight and the Treasury Department is expected by June or July. This is at the same time the insurance companies are submitting their plans and rates for the coming year. Implementation of the waivers is planned for the DHW on July 1 and October 1 for the DOI.

The legislation including both waivers has been carefully crafted and balanced to meet both state and federal needs. Inclusion of the Executive Order could mean it would not be approved, as was experienced by Iowa.

Answering questions, **Director Cameron** said the recognized expense, when compared to the Medicaid expansion cost, results in a lower taxpayer cost and keeps the marketplace from collapsing, which has happened in other states. The DOI directs carrier rates based on actuarial numbers. The addition of customers provides an incentive to carriers. Both waivers must go through, although they are filed with separate federal agencies.

Responding to a question, **Lori Wolff** stated the listed conditions were chosen based on high medical, hospitalization, or pharmaceutical expenses.

Answering further, **Director Cameron** stated the projections were calculated using both inside and outside actuary assistance, which is part of the waiver application. Actual two-year insurance industry data was used for determining the conditions. Because their market is more balanced, small businesses experienced only a 5% insurance rate increase.

Responding further, **Director Barron** said the 1115 Waiver aligns with Medicaid's original design to assist persons with serious health conditions. Waivers are typically five-year plans. Anyone Medicaid eligible, without a subsidy, can still get marketplace insurance. This provides an incentivized, not forced, optional move to Medicaid.



Continuing to answer questions, **Director Cameron** emphasized this is not an insurance industry bail out and is not recognized by the federal government as Medicaid expansion. This approach provides a route to lower insurance rates and better coverage access.

**Sara Stover**, Health and Human Services Budget Analyst, Governor's Office, was invited to answer a question. She said because the Millennium Fund committee did not accept annual distribution applications this year, \$11.4M is available to help offset the General Fund impact.

**Director Cameron** stated the annual providers network update can result in changing providers. The Medicaid network is just as or more robust than private insurance carriers. Those who are unhealthy have figured out ways to get across the line to qualify for a subsidy or Medicaid. The hope is to eliminate this basic unfairness so everyone's rates can be lower. The DOI would be the only entity receiving insurance company data, which has no individual or illness information. State-based plans, which will be 30% to 50% less expensive, do not require federal government waiver or permission.

Answering questions, **Ms. Wolff** said the information received from the carriers follows the Health Insurance Portability and Accountability Act (HIPAA).

**ADJOURN:**

There being no further business to come before the committee, the meeting adjourned at 10:34 a.m.

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Representative Wood  
Chair

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Irene Moore  
Secretary

AGENDA  
**HOUSE HEALTH & WELFARE COMMITTEE**  
9:00 A.M.  
Room EW20  
Thursday, January 25, 2018

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">RS25862</a>	Cannabidiol Oil	Rep. Dorothy Moon
<a href="#">RS25879</a>	Sign Language Interpreters	Rep. Kelley Packer
<a href="#">RS25822</a>	Nursing Home Administrators	Kris Ellis, Idaho Health Care Association
<a href="#">H 352</a>	Occupational Licensing - Practice Exemptions	Kris Ellis, Idaho Orthopedic Society
<a href="#">H 353</a>	Volunteer Health Care Providers	Ken McClure, Idaho Medical Association
<a href="#">H 354</a>	Opioid Antagonists - Filing	Rep. Christy Perry

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Wood  
Vice Chairman Packer  
Rep Perry  
Rep Vander Woude  
Rep Redman  
Rep Blanksma

Rep Hanks  
Rep Kingsley  
Rep Zollinger  
Rep Wagoner  
Rep Chew  
Rep Rubel

COMMITTEE SECRETARY

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

MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Thursday, January 25, 2018

**TIME:** 9:00 A.M.

**PLACE:** Room EW20

**MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel

**ABSENT/  
EXCUSED:** None

**GUESTS:** Alex Adams, Board of Pharmacy; Nicole Fitzgerald, Office of Drug Policy; Kris Ellis, IHCA IOP; Barbara Jordan, ITLA; Stephanie Pustyonsky, Sharlene Johnsen, Gayle Hines, and Marianne King, ODP; Maria Kennedy, ACLU; Toni Brinegar, Self; Elizabeth Criner, ISDA

**Chairman Wood** called the meeting to order at 9:00 a.m.

**MOTION:** **Rep. Redman** made a motion to approve the minutes of the January 22 and 23, 2018, meetings. **Motion carried by voice vote.**

**RS 25862:** **Rep. Dorothy Moon**, District 8, presented **RS 25862**, for the lawful use of canabidiol oil (CBD) when prescribed by a practitioner. Registration will be required. The CBD must be legally obtained and not exceed point three tetrahydrocannabinol (THC).

**MOTION:** **Rep. Blanksma** made a motion to introduce **RS 25862**. **Motion carried by voice vote.**

**RS 25879:** **Rep. Kelley Packer**, District 28, presented **RS 25879**, for sign language interpreters. The changes exempt out-of-state certified interpreters from Idaho licensure requirements when interpreting in Idaho for thirty days or less. Also exempted are teachers who meet the Idaho Educational Interpreter Act requirements. The minimum interpreter age is changed to eighteen.

**MOTION:** **Rep. Redman** made a motion to introduce **RS 25879**. **Motion carried by voice vote.**

**RS 25822:** **Kris Ellis**, Idaho Healthcare Association, presented **RS 25822** to reduce the nursing home administrator training to 1,000 hours.

**MOTION:** **Rep. Perry** made a motion to introduce **RS 25822**. **Motion carried by voice vote.**

**H 352:** **Kris Ellis**, Idaho Orthopedic Society, presented **H 352**. This legislation exempts physicians, physician assistants, dieticians, and athletic trainers from Idaho licensure when traveling from another state as part of an athletic organization or performing arts company. They must be practicing in Idaho for less than sixty calendar days and practice only on the athletic team or performing arts company patients, clients, or team staff.

Answering questions, **Ms. Ellis**, said college teams, in particular, bring dieticians. This would include ski teams training in Sun Valley and Cirque du Soleil type performers.

For the record no one indicated their desire to testify.

**MOTION:** **Rep. Blanksma** made a motion to send **H 352** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Blanksma** will sponsor the bill on the floor.

**H 353:** **Ken McClure**, Idaho Medical Association, presented **H 353** to assure liability protection and encourage health care professionals to volunteer at health screening events. Community health screening event, screening, and the signed liability release are defined.

**MOTION:** **Vice Chairman Packer** made a motion to send **H 353** to the floor with a **DO PASS** recommendation.

Answering questions, **Mr. McClure** explained there is no Department of Health and Welfare reporting because these are ephemeral events and the immunity applies to licensed professionals. Free clinic screenings are already covered by the statute. The screening sponsor is expected to maintain signed waivers until the statute of limitations expires. Gross negligence is not immune under this statute.

**VOTE ON MOTION:** **Motion carried by voice vote. Vice Chairman Packer** will sponsor the bill on the floor.

**H 354:** **Rep. Christy Perry**, District 11, presented **H 354**, to require opioid antagonists be entered into the Prescription Monitoring Program, along with controlled substances already covered by the statute.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Rubel** made a motion to send **H 354** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Perry** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 9:30 a.m.

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Representative Wood  
Chair

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Irene Moore  
Secretary

AGENDA  
**HOUSE HEALTH & WELFARE COMMITTEE**  
9:00 A.M.  
Room EW20  
Friday, January 26, 2018

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">H 339</a>	Pharmacy - Drug Substitutions	Alex Adams, Board of Pharmacy
<a href="#">H 340</a>	Controlled Substances	Alex Adams
<a href="#">H 351</a>	Pharmacy - Licensing and Registration	Alex Adams
<a href="#">H 348</a>	Board of Acupuncture - Honorarium	Tana Cory, Bureau of Occupational Licenses
<a href="#">H 349</a>	Occupational Therapists	Tana Cory
<a href="#">H 350</a>	Professional Counselors and Marriage and Family Therapists	Tana Cory

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Wood  
Vice Chairman Packer  
Rep Perry  
Rep Vander Woude  
Rep Redman  
Rep Blanksma

Rep Hanks  
Rep Kingsley  
Rep Zollinger  
Rep Wagoner  
Rep Chew  
Rep Rubel

COMMITTEE SECRETARY

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MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Friday, January 26, 2018

**TIME:** 9:00 A.M.

**PLACE:** Room EW20

**MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel

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

**GUESTS:** Alex Adams, Berk Fraser, Misty Lawrence, and Kris Jonas, Board of Pharmacy; Thomas Vanderholm, Self; Will Fleagle and Tara Trimble, System Automation; Piper Field, Board of Counseling & Marriage & Family Therapists; Tana Cory, Occupational Licenses; Roberta Crockett, IDAMFT; Jennifer Adams, ISU

**Chairman Wood** called the meeting to order at 8:35 a.m.

**H 339:** **Alex Adams**, Executive Director, Idaho State Board of Pharmacy (BOP), presented **H 339**, which would enable prescriber-authorized substitution for drug products that are in the same therapeutic class and are expected to have a substantially equivalent therapeutic effect. This can happen only if it is noted on the original prescription, it complies with the health plan formulary, and the briefed patient opts into the change. The original prescriber is notified of the switch. A further restriction carves out biological products and narrow therapeutic index drugs.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Redman** made a motion to send **H 339** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Chew** will sponsor the bill on the floor.

**H 340:** **Alex Adams**, Executive Director, BOP, presented **H 340**, the annual Uniform Controlled Substances Act (CSA) update. Changes mirror the CSA for acetyl fentanyl, dronabinol in oral solution, and ordering and dispensing controlled substances. It also removes one restriction for pharmacist involvement in delivery of drugs, as suggested by in-state opioid treatment programs.

For the record, no one indicated their desire to testify.

**MOTION:** **Vice Chairman Packer** made a motion to send **H 340** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Chew** will sponsor the bill on the floor.

**H 351:** **Alex Adams**, Executive Director, BOP, presented **H 351**. Changes remove licensing duplication with other entities, student fingerprinting, and temporary license reciprocity. Over-the-counter sales without a BOP license, education program guidelines, fee statutory caps, definitions, and the powers and duties of the board are also updated.

Responding to a question, **Dr. Adams**, said returns of items from closed pharmacies or ended grants are referenced as gifts to the board, with existing sideboards.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Blanksma** made a motion to send **H 351** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Chew** will sponsor the bill on the floor.

**H 348:** **Tana Cory**, Chief, Bureau of Occupational Licenses, on behalf of the Board of Acupuncture, presented **H 348**. The changes increase the board member honorarium from \$50 to \$100. There are five members who meet face-to-face four times a year.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Blanksma** made a motion to send **H 348** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Redman** will sponsor the bill on the floor.

**H 349:** **Tana Cory**, Chief, Bureau of Occupational Licenses, on behalf of the Occupation Therapy Licensure Board, presented **H 349** to remove obsolete language, provisions, and terms for board appointments. It also clarifies that the definitions of "Graduate Occupational Therapy Assistant," "Occupational Therapist," and "Occupational Therapy Assistant" refer to persons regulated by the Occupational Therapist Act.

For the record, no one indicated their desire to testify.

**MOTION:** **Vice Chairman Packer** made a motion to send **H 349** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Wagoner** will sponsor the bill on the floor.

**H 350:** **Piper Field**, Board Member, Licensing Board of Professional Counselors and Marriage and Family Therapists, presented **H 350** to move educational curricula requirements to Rule, consistent with other professional licenses. If approved, the change will be implemented by Temporary Rules.

**MOTION:** **Rep. Blanksma** made a motion to send **H 350** to the floor with a **DO PASS** recommendation.

**Roberta Crockett**, Idaho Association for Marriage and Family Therapists testified **in support of H 350**. The change will streamline the process and maintain high standards.

For the record, no one else indicated their desire to testify.

**VOTE ON MOTION:** **Motion carried by voice vote. Rep. Kingsley** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 9:07 a.m.

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Representative Wood  
Chair

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Irene Moore  
Secretary

AGENDA  
**HOUSE HEALTH & WELFARE COMMITTEE**  
9:00 A.M.  
Room EW20  
Monday, January 29, 2018

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">H 343</a>	Dental Specialists	Susan Miller, State Board of Dentistry
<a href="#">H 344</a>	Dental Hygienists - Access Settings	Susan Miller
<a href="#">H 345</a>	Convictions - Code of Military Justice	Susan Miller
<a href="#">H 346</a>	Board of Dentistry - Compensation	Susan Miller

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Wood  
Vice Chairman Packer  
Rep Perry  
Rep Vander Woude  
Rep Redman  
Rep Blanksma

Rep Hanks  
Rep Kingsley  
Rep Zollinger  
Rep Wagoner  
Rep Chew  
Rep Rubel

COMMITTEE SECRETARY

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MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Monday, January 29, 2018  
**TIME:** 9:00 A.M.  
**PLACE:** Room EW20  
**MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel  
**ABSENT/  
EXCUSED:** None  
**GUESTS:** Susan Miller, BOP; Elizabeth Criner, ISDA  
**Chairman Wood** called the meeting to order at 9:00 a.m.  
**MOTION:** **Vice Chairman Packer** made a motion to approve the minutes of the January 25, 2018, meeting. **Motion carried by voice vote.**  
**H 343:** **Susan Miller**, Executive Director, Board of Dentistry, presented **H 343** to strike American Dental Association references and recognize dental specialties.  
For the record, no one indicated their desire to testify.  
**MOTION:** **Rep. Blanksma** made a motion to send **H 343** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Vander Woude** will sponsor the bill on the floor.  
**H 344:** **Susan Miller**, Executive Director, Board of Dentistry, presented **H 344**. The updates clarify teledentistry dental hygienist supervision and locations.  
For the record, no one indicated their desire to testify.  
**MOTION:** **Vice Chairman Packer** made a motion to send **H 344** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Hanks** will sponsor the bill on the floor.  
**H 345:** **Susan Miller**, Executive Director, Board of Dentistry, presented **H 345** to include a finding of guilt under the Military Uniform Code of Justice.  
For the record, no one indicated their desire to testify.  
**MOTION:** **Rep. Redman** made a motion to send **H 345** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Zollinger** will sponsor the bill on the floor.  
**H 346:** **Susan Miller**, Executive Director, Board of Dentistry, presented **H 346** to update the board member compensation from \$50 to \$100 per day.  
For the record, no one indicated their desire to testify.  
**MOTION:** **Rep. Rubel** made a motion to send **H 346** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Rubel** will sponsor the bill on the floor.  
**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 9:16 a.m.

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Representative Wood  
Chair

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Irene Moore  
Secretary

**AMENDED AGENDA #1**  
**HOUSE HEALTH & WELFARE COMMITTEE**  
**9:00 A.M.**  
**Room EW20**  
**Tuesday, January 30, 2018**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">RS25947C1</a>	Idaho Health Care Plan	Lori Wolff, Department of Health and Welfare
<a href="#">RS25845</a>	Medicaid - Dental Care	Rep. Ilana Rubel
<a href="#">H 337</a>	Behavioral Health - Council Boards	Ross Edmunds, Department of Health and Welfare
<a href="#">H 341</a>	Tobacco - Retailers Fee	Ross Edmunds

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Wood  
Vice Chairman Packer  
Rep Perry  
Rep Vander Woude  
Rep Redman  
Rep Blanksma

Rep Hanks  
Rep Kingsley  
Rep Zollinger  
Rep Wagoner  
Rep Chew  
Rep Rubel

COMMITTEE SECRETARY

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MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

- DATE:** Tuesday, January 30, 2018
- TIME:** 9:00 A.M.
- PLACE:** Room EW20
- MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel
- ABSENT/  
EXCUSED:** None
- GUESTS:** Michael Sandvig, NAMI Idaho; Dean Cameron, DOI; Hillarie Hagen, IVC; Lee Flinn, Id. Primary Care Assoc.; Joyce Broadsword, Trinetta Middlebrook, Frank Powell, Julie Hammon, and Terry Pappin, DHW; Russell Westerbeg, PHRMA; Heidi Haut, Terry Reilly Health Svcs; Fred Birdnbaum, IFF; Jim Baugh, DRI; Pam Eaton, ID Retailers Assn.; Suzanne Budge, IPM & CSA; James Turner, LINC Idaho
- Chairman Wood** called the meeting to order at 9:00 a.m.
- MOTION:** **Rep. Redman** made a motion to approve the minutes of the January 29, 2018, meeting. **Motion carried by voice vote.**
- RS 25947C1:** **Lori Wolff**, Deputy Director, Department of Health and Welfare (DHW), presented **RS 25947C1**. This proposed legislation replaces and updates **H 338**, the Idaho Healthcare Plan or Dual Waiver Strategy.
- Changes add, clarify, and update fiscal numbers, a Medicaid work requirement 1115 Waiver application, implementation authority, waiver specifications, waiver conditional authority, U.S. citizen insurance and tax credit access, Internal Revenue Service authority, a sunset clause, and participant premium payments.
- Answering questions, **Ms. Wolff** said the work requirements would exempt individuals who are medically fragile and not able to work, comparable to other public assistance programs. Premium costs take into consideration one eligible member with a family still buying private insurance without a rate reduction.
- MOTION:** **Vice Chairman Packer** made a motion to introduce **RS 25947C1**. **Motion carried by voice vote.** **Rep. Hanks** requested to be recorded as voting **NAY**.
- RS 25845:** **Rep. Ilana Rubel**, District 18, presented **RS 25845**, proposed legislation to restore the Medicaid preventive dental coverage in existence prior to 2011. The General Fund cost is \$1.2M, with an expected \$3M in resulting hospitalization and medical savings.
- MOTION:** **Vice Chairman Packer** made a motion to introduce **RS 25845**. **Motion carried by voice vote.** **Rep. Hanks** requested to be recorded as voting **NAY**.
- H 337:** **Ross Edmunds**, DHW, Administrator, Behavioral Health (BH) Division, presented **H 337**. This legislation introduces definitions for different service types and supportive services. It also adds a prevention specialist member to the state BH Planning Council. The Regional BH Board set up appointment instructions have been deleted.
- For the record, no one indicated their desire to testify.
- MOTION:** **Rep. Redman** made a motion to send **H 337** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Kingsley** will sponsor the bill on the floor.

**H 341:** **Ross Edmunds**, DHW, Administrator, BH Division, presented **H 341**, to increase annual tobacco permit fees from no charge to \$100 and direct collected funds go to the Prevention of Minors' Access to Tobacco Fund. Idaho Code requires yearly inspections at all tobacco product sales or distribution locations.

**Mr. Edmunds** explained how the permit program began and the funding route from the Idaho State Police (ISP) total budget, to the DHW, and then to the BH Division. He also described the discontinued Idaho Tobacco Project funding recommendation by the Millennium Fund, the Federal Substance Abuse Prevention and Treatment Block Grant funding, and funds from collected fines. The program requirement exists in the Drug Abuse Prevention, Treatment, and Rehabilitation Act of 1992.

**Rep. Vander Woude** invoked Rule 38 stating a possible conflict of interest but that he would be voting on the legislation.

Answering questions, **Mr. Edmunds** said the inspection program non-compliance rate decrease from 56% to 6% has impacted the collected fines amount.

**Chairman Wood** explained the Millennium Fund became a way to save General Fund expenditures during the recession through recommendations to the Joint Finance and Appropriations Committee (JFAC). A direct funding route is needed for the Tobacco Project.

**Terry Pappin**, Tobacco Project Manager, DHW, was invited to clarify the fines, which range from \$100 to \$400. If the violation rate is not kept below 20% there could be a 40% reduction in the block grant.

Answering further, **Mr. Edmunds** stated the reduction would impact the entire \$8M block grant, not just the Tobacco Project. Reservations and Indian land is not included due to their nation's sovereignty.

**MOTION:** **Rep. Blanksma** made a motion to **HOLD H 341** in committee.

**Ms. Pappin**, responding to a question, said the Benchmark contract cost is \$400,000. There are inspection teams in each of the seven health care regions. Teams consist of an adult inspector, an adult chaperone, a male minor, and a female minor.

**SUBSTITUTE MOTION:** **Rep. Chew** made a substitute motion to **HOLD H 341** to time certain at the discretion of the Chairman.

For the record, no one indicated their desire to testify.

**VOTE ON SUBSTITUTE MOTION:** **Substitute motion failed by voice vote.**

**VOTE ON ORIGINAL MOTION:** **Original motion carried by voice vote. Rep. Chew and Chairman Wood** requested to be recorded as voting **NAY**.

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 10:18 a.m.

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Representative Wood  
Chair

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Irene Moore  
Secretary

AGENDA  
**HOUSE HEALTH & WELFARE COMMITTEE**  
9:00 A.M.  
Room EW20  
Wednesday, January 31, 2018

<u>SUBJECT</u>	<u>DESCRIPTION</u>	<u>PRESENTER</u>
<a href="#">RS25831</a>	Childhood Cancer - DIPG	Rep. Greg Chaney
<a href="#">RS25941</a>	Rural Physicians - State Match	Rep. John Vander Woude
<a href="#">H 393</a>	Insurance - Immunization Board	Sharon Hawkins, Idaho Association of Commerce and Industry
<a href="#">H 347</a>	Ombudsman for the Elderly - Reporting	Cathy Hart, Commission on Aging

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Wood  
Vice Chairman Packer  
Rep Perry  
Rep Vander Woude  
Rep Redman  
Rep Blanksma

Rep Hanks  
Rep Kingsley  
Rep Zollinger  
Rep Wagoner  
Rep Chew  
Rep Rubel

COMMITTEE SECRETARY

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MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Wednesday, January 31, 2018

**TIME:** 9:00 A.M.

**PLACE:** Room EW20

**MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel

**ABSENT/  
EXCUSED:** None

**GUESTS:** Sharon Hawkins and John Eaton, IACI; Elizabeth Criner, ACS CAN; Cathy Hart and Judy Tayler, COA; Elaine Mellon and Tom Donovan, DOI; Mary Sheridan, IDHW  
**Chairman Wood** called the meeting to order at 9:00 a.m.

**MOTION:** **Vice Chairman Packer** made a motion to approve the minutes of the January 24 and 26, 2018, meetings. **Motion carried by voice vote.**

**RS 25831:** **Rep. Greg Chaney**, District 10, presented **RS 25831**, a Resolution recognizing May 17th annually as Diffuse Intrinsic Pontine Glioma (DIPG) Awareness Day. DIPG is a brain tumor with no known cause, cure, and zero percent survival rate. Approximately 200 children in the U.S. are impacted by this illness.

**MOTION:** **Vice Chairman Packer** made a motion to introduce **RS 25831**. **Motion carried by voice vote.**

**RS 25941:** **Rep. John Vander Woude**, District 22, presented **RS 25941** to add \$640,000 state funding at a two-to-one match rate to the Rural Doctors State Program, subject to a Joint Finance and Appropriations Committee appropriation.

**MOTION:** **Rep. Blanksma** made a motion to introduce **RS 25941**. **Motion carried by voice vote.**

**H 393:** **Rep. Megan Blanksma**, District 23, presented **H 393** to add self-funding insurance plan members to the Idaho Immunization Assessment Board, extend the sunset date by five years, and remove the late or non-payment interest requirement. This Legislation does not impact the immunization processes.

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

**Sharon Hawkins**, Idaho Association of Commerce and Industry, testified **in support** of **H 393**. This is a self-governing volunteer board who insures assessments are accurate and 100% of monies received are spent on vaccines for Idaho families.

For the record, no else indicated their desire to testify.

**VOTE ON MOTION:** **Motion carried by voice vote.** **Rep. Hanks** requested to be recorded as voting **NAY**. **Rep. Blanksma** will sponsor the bill on the floor.

**H 347:** **Cathy Hart**, State Long-term Ombudsman, Commission on Aging (COA), presented **H 347**. This Legislation clarifies terminology, access, the distinct and separate Ombudsman entity, and representation of the resident's interest.

Answering questions, **Ms. Hart** stated the Ombudsman can enter any facility at any time to investigate a complaint. The independent entity clarification allows them to make a stand on behalf of residents without first getting the COA's permission. A case does not need to be opened to make contact with a resident or their representative. The facility notification is moved and expanded further in Rule. These changes align with federal law.

For the record, no one indicated their desire to testify.

**MOTION:** **Vice Chairman Packer** made a motion to send **H 347** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Hanks** requested to be recorded as voting **NAY.** **Rep. Redman** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 9:32 a.m.

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Representative Wood  
Chair

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Irene Moore  
Secretary

**AMENDED AGENDA #1**  
**HOUSE HEALTH & WELFARE COMMITTEE**  
**9:00 A.M.**  
**Room EW20**  
**Monday, February 05, 2018**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">RS26011</a>	Health Care Billing Equality Act	Rep. Lynn Luker
<a href="#">H 411</a>	Sign Language Interpreters	Rep. Kelley Packer
<a href="#">RS25985</a>	Immunizations - Notification	Rep. Megan Blanksma
<a href="#">RS25992</a>	Eating Disorders Awareness Week	Rep. John McCrostie
<a href="#">H 336</a>	Medicaid - Nursing Facilities	Ali Fernandez, Division of Medicaid
<a href="#">H 409</a>	Nursing Home Administrators	Kris Ellis, Idaho Health Care Association

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Wood	Rep Hanks
Vice Chairman Packer	Rep Kingsley
Rep Perry	Rep Zollinger
Rep Vander Woude	Rep Wagoner
Rep Redman	Rep Chew
Rep Blanksma	Rep Rubel

COMMITTEE SECRETARY

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MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

- DATE:** Monday, February 05, 2018
- TIME:** 9:00 A.M.
- PLACE:** Room EW20
- MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel
- ABSENT/  
EXCUSED:** None
- GUESTS:** Robert Vande Merwe and Kris Ellis, IHCA; Alexandra Fernandez, Katie Davis, Alexandria Childers-Scott, Sheila Pugatch, George Gutierrez, and Beth Kriete, IDHW-Medicaid; Rick Holloway, FSUH-Boise; LaVona Andrew, Self; Toni Lawson, Id. Hospital Assoc; Steven Snow, CDHH; Trinetta Middlebrook, DHW; FrankPowell, DHW-Rules Unit; Henry Shafer-Coffey, House Minority; Elizabeth Criner, ISDA
- Chairman Wood** called the meeting to order at 9:00 a.m.
- MOTION:** **Vice Chairman Packer** made a motion to approve the minutes of the January 31, 2018, meeting. **Motion carried by voice vote.**
- RS 26011:** **Rep. Lynn Luker**, District 15, presented **RS 26011**, the Health Care Billing Equality Act, protects patients receiving health care services in an in-network hospital from being billed extra for out-of-network provider services. The insurance company pays for the service at 85% of the highest rate in the next located in-network facility or 145% of the Medicare rate. Elective services require a signed agreement prior to admission.
- MOTION:** **Rep. Redman** made a motion to introduce **RS 26011**. **Motion carried by voice vote.**
- H 411:** **Vice Chairman Packer**, District 28, presented **H 411**, for sign language interpreters. Exemptions clarify out-of-state and educational interpreters. The interpreter age is reduced from twenty-one to eighteen.
- For the record, no one indicated their desire to testify.
- MOTION:** **Rep. Redman** made a motion to send **H 411** to the floor with a **DO PASS** recommendation.
- Rep. Hanks**, speaking to the motion, said she believes sign language is a first amendment right and will support this legislation because some of the regulations have been eased.
- VOTE ON MOTION:** **Motion carried by voice vote.** **Vice Chairman Packer** will sponsor the bill on the floor.
- RS 25985:** **Rep. Blanksma** presented **RS 25985** to strengthen the Immunization Registry Information System (IRIS) clause to require signatures, on behalf of the patient, by the parent or guardian and the physician.
- For the record, no one indicated their desire to testify.
- MOTION:** **Rep. Perry** made a motion to introduce **RS 25985**. **Motion carried by voice vote.**

**RS 25992:** **Rep. John McCrostie**, District 16, presented **RS 25992**, a Concurrent Resolution to recognize February 26 to March 4, 2018, as Eating Disorders Awareness Week in conjunction with the National Eating Disorders Awareness Week. Affecting an estimated 58,000 Idahoans, this promotes sharing stories, experiences, early intervention information, and public health issue discussions.

**MOTION:** **Rep. Rubel** made a motion to introduce **RS 25992**. **Motion carried by voice vote.**

**H 336:** **Alexandra Fernandez**, Acting Bureau Chief, Bureau of Long Term Care, Division of Medicaid, Department of Health and Welfare, presented **H 336**, for skilled nursing facility quality incentives for the Upper Payment Limit (UPL) assessment distribution program and inclusion of veterans facilities. Implementation would be in 2021.

**Rick Holloway**, Administrator, Idaho State Veterans Homes, testified **in support of H 336**. Participation in the UPL will provide revenue for improvements and offset any shortfall from current federal programs. The three veterans homes already maintain higher quality levels than state nursing facilities.

In response to questions, **Mr. Holloway** stated the additional funds would impact opening the northern Idaho veterans facility. Based on 2017 data, the Boise facility would pay \$350,000 and receive approximately \$1.4M.

**Robert Vande Merwe**, Idaho Healthcare Association, testified **in support of H 336**. The effective date gives the facilities time to assure their quality is up to speed and allows for a six-month data collection lag.

**Matt Wimmer**, Administrator, Division of Medicaid, DHW, was invited to answer a question. The new federal government managed care regulations continue funding through a quality program. Any penalty is out of the allocation, which is paid into the quality pool and has a 70% federal match rate.

For the record, no one else indicated their desire to testify.

**MOTION:** **Vice Chairman Packer** made a motion to send **H 336** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Reps. Zollinger** and **Hanks** requested to be recorded as voting **NAY**. **Chairman Wood** will sponsor the bill on the floor.

**H 409:** **Kris Ellis**, Idaho Health Care Association, presented **H 409** to reduce the time to become a nursing home administrator from one year to six months. Allowance is made for a single health services executive license for administrators in assisted living, nursing, or home health, if approved by the appropriate boards.

**MOTION:** **Rep. Blanksma** made a motion to send **H 409** to the floor with a **DO PASS** recommendation.

For the record, no one indicated their desire to testify.

**Mr. Vande Merwe**, asked to comment on the changes, said the lower pay received during this training period presents a hardship lessened by the decrease to six months.

**VOTE ON MOTION:** **Motion carried by voice vote.** **Rep. Wagoner** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 10:06 a.m.

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Representative Wood  
Chair

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Irene Moore  
Secretary

**AMENDED AGENDA #1  
HOUSE HEALTH & WELFARE COMMITTEE  
9:00 A.M.  
Room EW20  
Tuesday, February 06, 2018**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">RS26020</a>	Group Insurance Committee	Rep. Fred Wood
<a href="#">RS26022</a>	Physical Therapy - Dry Needling	Emily Patchen, Idaho Physical Therapy Association
<a href="#">H 465</a>	Medicaid - Dental Services	Rep. Ilana Rubel
	Graduate Medical Education	Suzie Pouliot, Idaho Medical Association
		Dr. Ted Epperley, State Board of Education

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Wood	Rep Hanks
Vice Chairman Packer	Rep Kingsley
Rep Perry	Rep Zollinger
Rep Vander Woude	Rep Wagoner
Rep Redman	Rep Chew
Rep Blanksma	Rep Rubel

COMMITTEE SECRETARY

Irene Moore  
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email: hhel@house.idaho.gov

MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Tuesday, February 06, 2018

**TIME:** 9:00 A.M.

**PLACE:** Room EW20

**MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel

**ABSENT/  
EXCUSED:** None

**GUESTS:** Ernest Meshack-Hart ISDA/TRHS; Troy Clovis, IOHA; Cole Anderson and Linda Swanstrom; ISDA; Joyce Broadsword and Matt Wimmer, DHW; Yvonne Ketchum Ward, IPCA; Tami Fife, and Heidi Hart, Terry Reilly; Jim Baugh, DRI; Bill Roden, Delta Dental of Idaho; Lee Flinn, Id. Primary Care Assoc.; Sami Florence, IOHA/Terry Reilly; Michael Armand, NAMI Idaho

**Chairman Wood** called the meeting to order at 9:00 a.m.

**Chairman Wood** turned the gavel over to **Vice Chairman Packer**.

**RS 26020:** **Chairman Wood**, District 27, presented **RS 26020**, a Resolution requesting a one-year continuation of the Group Insurance Interim Committee to negotiate a new contract with the Committee's contractor and issue a new Request for Proposal (RFP) for state employee healthcare benefit options. The funding request of \$135k is approximate and expected to be less, as in the past year.

**MOTION:** **Rep. Redman** made a motion to introduce **RS 26020**. **Motion carried by voice vote.**

**Vice Chairman Packer** returned the gavel to **Chairman Wood**.

**RS 26022:** **Emily Patchin**, Risch Pisca Law Firm, Idaho Physical Therapy Association, presented **RS 26022** to add dry needling to the Idaho Physical Therapy Practice Act. The addition includes educational elements to be set in Physical Therapy Board promulgated Rules.

**MOTION:** **Rep. Vander Woude** made a motion to introduce **RS 26022**. **Motion carried by voice vote.**

**H 465:** **Rep. Ilana Rubel**, District 18, presented **H 465**, restoring the basic Medicaid dental care removed in 2011 by **H 260**. It will not add anyone to Medicaid. The removal did not prove to be a long-term cost savings. The \$1.24M General Fund fiscal impact has a 70% federal fund match. Approximately \$2.8M savings is expected from decreased emergency dental and related treatment costs caused from lack of preventive oral health care.

**Ernest Meshack-Hart**, General Dentist, Dental Director, Terry Reilly Health Services, Member, Medicaid Committee, Idaho State Dental Association, testified **in support of H 465**. Cleanings, fillings, and oral hygiene education save taxpayer dollars now being spent in emergency room (ER) services, inpatient care, and invasive surgical procedures. Poor oral health has been linked to chronic diseases.

**Troy Clovis**, General Dentist with Medicaid patients, testified **in support of H 465**. Family budget limitations found in the Medicaid population lead to oral health neglect. Help is sought when the pain or health becomes extreme and often a cure is no longer available. These become lifelong burdens, further diverting limited family resources.

**MOTION:**

**Vice Chairman Packer** made a motion to send **H 465** to the floor with a **DO PASS** recommendation.

**Cole Anderson**, Idaho State Dental Association, Oral Maxofacial Surgeon, St. Alphonsus Hospital, testified **in support** of **H 465**. His patients have already seen an ER physician on multiple occasions, had computed tomography (CT) scans, had routine laboratory tests, and received multiple antibiotic and opioid prescriptions. Transport costs may also have been incurred. Surgeon consultations have extensive, costly, and intrusive procedures. Infections can lead to broken bones, intensive care hospitalization, and death.

Answering questions, **Dr. Hart** stated recent studies show 70% of ER visits occurred outside of the normal dental office hours and 49% of dental ER visits were Medicaid patients.

Asked to answer a question, **Elizabeth Criner**, Idaho State Dental Association, said from 46% to 47% of their membership accept Medicaid patients.

**Jim Baugh**, Executive Director, Disability Rights Idaho, testified **in support** of **H 465**. The concept with the **H 260** cuts was to return benefits in a couple of years. Enhanced plan benefits were restored in 2013, but the basic plan remains without dental coverage. People with mental illness have the basic plan. They also take drugs known to contribute to dental disease, which can be their reason for not taking their drugs.

**Bill Roden**, Delta Dental of Idaho, testified **in support** of **H 465** because it will allow persons struggling to meet daily obligations the ability to pursue preventive care.

**Michael Armand**, NAMI, on behalf of **Michael Sandvig**, testified **in support** of **H 465**. He shared Mr. Sandvig's daughter-in-law's near death hospital stay that could have been averted with treatment of a dental issue.

For the record, no one else indicated their desire to testify.

**Chairman Wood** said during the development of **H 260**, many discussions surrounded the dental health benefits. The cuts were made with the intention of restoration in two years when the economy recovered, which it has.

**ROLL CALL  
VOTE:**

**Rep. Zollinger** requested a roll call vote on **H 465**. **Motion carried by a vote of 8 AYE and 4 NAY. Voting in favor** of the motion: **Reps. Wood, Packer, Perry, Redman, Kingsley, Wagoner, Chew, Rubel. Voting in opposition** to the motion: **Reps. Vander Woude, Blanksma, Hanks, Zollinger. Rep. Rubel** will sponsor the bill on the floor.

**Susie Pouliot**, CEO, Idaho Medical Association, asked the committee to consider the Graduate Medical Education Plan be a spending priority when considering the 2019 Budget. The physician workforce educational pipeline in Idaho has 200 medical students graduating each year but does not have the residency programs to keep them in Idaho. We are becoming an exporter of medical school graduates. The Idaho Medical Association stakeholders review of the issue has produced a ten-year strategic plan for residency expansion.

**Dr. Ted Epperly**, Family Physician, CEO, President, Family Medicine Residency of Idaho, State Board of Education, Graduate Medical Education (GME) Coordinator. The strategic plan increases, over ten years, the nine existing statewide residency programs to twenty-one, and the four fellowships to nine. After a three to five year residency, most physicians will remain within 50 to 100 miles of their residency training.

The plan asks the state to become a one-third partner in the funding, with the remaining funds provided by the sponsoring institution and the GME program. The total cost remains \$180k per resident/fellow per year. The total ten-year state cost will be \$16M and bring Idaho up to 2,000 physicians per capita.

Answering a question, **Dr. Epperly** said because residency programs can be streamlined for smaller communities, there will be more than sufficient patient volume to teach residents the necessary skills.

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 10:27 a.m.

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Representative Wood  
Chair

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Irene Moore  
Secretary

AGENDA  
**HOUSE HEALTH & WELFARE COMMITTEE**  
8:00 A.M.  
Lincoln Auditorium  
Wednesday, February 07, 2018

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">H 464</a>	Idaho Health Care Plan	Lori Wolff, Department of Health and Welfare

***At the Chairman's discretion, individual testimony time may be limited.***

***If you have written testimony, please provide one copy of it, along with the name of the person or organization responsible, in the testimony box to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Wood  
Vice Chairman Packer  
Rep Perry  
Rep Vander Woude  
Rep Redman  
Rep Blanksma

Rep Hanks  
Rep Kingsley  
Rep Zollinger  
Rep Wagoner  
Rep Chew  
Rep Rubel

COMMITTEE SECRETARY

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MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Wednesday, February 07, 2018

**TIME:** 8:00 A.M.

**PLACE:** Lincoln Auditorium

**MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel

**ABSENT/  
EXCUSED:** None

**GUESTS:** The sign in sheet will be retained in the committee secretary's office until the end of the session. Following the end of the session, the sign in sheet will be filed with the minutes in the Legislative Library.

**Chairman Wood** called the meeting to order at 8:01 a.m.

**H 464:** **Russ Barron**, Director, Idaho Department of Health and Welfare (DHW), presented an overview of **H 464**.

**Dean Cameron**, Director, Department of Insurance (DOI), said this legislation's goals are to assist both those priced out of coverage by lowering insurance costs and those who were left out by waiving the Obamacare laws. These are hardworking individuals who may not be able to afford insurance for a variety of reasons.

The Idaho Health Care Plan, explained **Director Barron**, allows DHW and the DOI to submit federal waiver applications to provide both insurance coverage for Idahoans below 100% of the federal poverty level (FPL) and temporary Medicaid coverage for the sickest population. This will reduce health insurance premiums for everyone on the individual market and balance the risk pool for long-term sustainability of the insurance markets.

**Director Cameron** stated carriers, taking losses due to high claims and low premiums, are not allowed to ask for rate increases and use other lines of coverage or reserves to cover their losses. With a \$200M claims reduction from this legislation, carriers would be required to reduce their rates by 20%.

Regarding Medicaid expansion, **Director Barron** said, had it been selected, 90k to 100,000 Idahoans would have been added to Medicaid, with 90% initial cost coverage and no program caps. The Idaho Health Care Plan will add 2,500 to 3,500 individuals with high-cost conditions to Medicaid under the 1115 Waiver. Physicians will be reimbursed at Medicaid rates.

By removing enough high-cost claims from the individual market, a reduction of rates will occur to offer coverage under the 1332 Waiver. The 1115 Waiver can be amended for the actual number of persons transferred to Medicaid.

**Director Cameron** stated without passage of **H 464**, low income families will continue without affordable comprehensive care and middle income families will continue to be priced out of the marketplace. Carriers will continue to see losses and will withdraw from the marketplace. **H 464** helps Idaho avoid the problems experienced by other states.

Answering questions, **Director Cameron** said Idaho has five remaining insurance carriers, with four selling on the exchange. One carrier has already left the state and two are considering reducing their state footprint. Carrier boards are saying they can no longer use other business lines to subsidize the individual market place.



Invited to answer a question, **Lori Wolff**, Deputy Director, DHW, said the Centers for Medicare and Medicaid Services (CMS) requested a review of all high-cost conditions and with a Medicaid provider match. The report showed over 90% of the providers in those categories accept Medicaid.

**Director Cameron**, responding to questions, remarked the waiver provides the management capability not found in Medicaid expansion. Preventive care is part of both market place insurance and Medicaid. The Executive Order focuses on basically healthy middle-income Idahoans unable to receive a subsidy and coverage. **H 464** focuses on low income individuals who, even with a 30% rate reduction could not afford the insurance. Any claims reduction benefits are passed to the consumer through rate reductions.

**Director Barron**, answering questions, said some individuals will move from Medicaid back to private insurance when their health is restored.

Responding to a question, **Ms. Wolff** explained the 1115 Waivers have a five-year term, with reapplication. During the waiver duration, reports to CMS demonstrate cost, budget, and eligibility remain within the waiver confines.

Individuals testifying in support of **H 464** were: **Norma Duarte; Aubrye Spence; Virginia Baloo; Bernice Galinas; Jessica Rachels; Cheryl Slaven; Casey O'Conner; Ania Seline**

They shared their stories. Employers do not always cover family members. The trauma of surgery and billing struggles can be worse than the actual accident. This legislation provides a chance to move from a Catastrophic Fund (CAT) only plan to marketplace coverage. Care management allows early intervention and preserves the families. Caregivers deal with their own medical issues, costs, and any illness' impact on their families.

Individuals testifying on behalf of organizations in support of **H 464** were **Yvonne Ketchum**, CEO, Idaho Primary Care Association; **Daniel Stone**, Shoshone Bannock Tribes; **Sylvia Chariton**, President, Boise Area Branch, American Association of University Women of Idaho; **Jim Baugh**, Executive Director, Disability Rights Idaho; **Brian Whitlock**, President, Idaho Hospital Association; **Mel Leviton**, Director, State Independent Living Counsel; **Doug Frye**, Strategic Employee Benefit Services; **Elinor Chehey**, League of Women Voters of Idaho; **Lauren Necochea**, Idaho Voices for Children; **Susie Pouliot**, Idaho Medical Association; **Tom Lamar**, Chair, Latah County Commission; **Deborah Parsons**, Chairman, Idaho Council on Developmental Disabilities, Executive Director, Senior Center, Driggs, Idaho; **Andrew Kukla**, Pastor, First Presbyterian Church, Board President, Interfaith Quality Coalition; **Mike Reynoldson**, Vice President, Public Affairs, Blue Cross of Idaho.

They stated **H 464** allows better care and funding in conjunction with the Indian Health Services (IHS). Economic security is tied to affordable health care, especially for women who face loss of insurance when widowed or divorced. Medicaid access provides personal services not covered by insurance companies. Hospitals may see a reduction in their bad debt numbers, although they will face some reimbursement loss. Living at or below the FPL is off the state's radar until something critical happens. Approximately 94% of state physicians participate in Medicaid. Counties, as payor of last resort, use property tax monies for what they cover and pass the rest to the state CAT Fund. Seniors are concerned their elected representatives neither know nor care about them. Medicare does not cover all members within a family and not all needed services.

Testifying **in support** of **H 464**, except for the work requirements, were: **Adrienne Evans**, Executive Director, United Vision of Idaho; **Jennifer Zielinski**, Director, Idaho Anti-trafficking Coalition; **Heather Kimmel**, Executive Director, American Lung Association, Idaho; **Frank Monasterio**, Self; **Joy McKennon**, Idaho Chapter, National Organization for Women.

They asked for removal of the work requirement and its paperwork hurdles. This legislation will improve healthcare spending, reduce the state indigent spending, and provide local and county government savings. An inability to obtain and afford medical treatment can lead to an inability to work, death, and the cessation of families.

Testifying **in opposition** to **H 464** were: **Fred Birnbaum**, Idaho Freedom Foundation, and **Jinny Tetersen**, Health Freedom Idaho.

They stated this legislation is an expansion of Medicaid. The dual waivers are at cross purposes to the Governor's Executive Order, a shift in costs, and a bail out for insurance carriers. There are no guarantees carriers will lower their costs. Not only are extremely vulnerable persons forced into a worse healthcare situation, but their personal medical information is shared.

**MOTION:** **Vice Chairman Packer** made a motion to send **H 464** to the floor with a **DO PASS** recommendation.

Answering a question, **Director Cameron** said personal medical information sharing remains between the physician and insurance carrier. **Director Barron** further answered, the DHW would receive only referral, not medical, information for persons eligible for Medicaid.

**SUBSTITUTE MOTION:** **Rep. Kingsley** made a substitute motion to **HOLD H 464** in committee until time certain, at the discretion of the chair.

**ROLL CALL VOTE:** Roll call vote was requested on the substitute motion. **Substitute motion failed by a vote of 5 AYE, 7 NAY. Voting in favor** of the motion: **Reps. Vander Woude, Blanksma, Hanks, Kingsley, Zollinger. Voting in opposition** to the motion: **Reps. Wood, Packer, Perry, Redman, Wagoner, Chew, Rubel.**

**ROLL CALL VOTE:** Roll call vote was requested on the original motion. **Motion carried by a vote of 7 AYE, 5 NAY. Voting in favor** of the motion: **Reps. Wood, Packer, Perry, Redman, Wagoner, Chew, Rubel. Voting in opposition** to the motion: **Reps. Vander Woude, Blanksma, Hanks, Kingsley, Zollinger. Chairman Wood** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 11:20 p.m.

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Representative Wood  
Chair

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Irene Moore  
Secretary

AGENDA  
**HOUSE HEALTH & WELFARE COMMITTEE**  
8:45 A.M.  
Room EW20  
Thursday, February 08, 2018

DOCKET	DESCRIPTION	PRESENTER
16-0202-1701	EMS Physician Commission	Dr. Curtis Sandy, Chairman

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Wood  
Vice Chairman Packer  
Rep Perry  
Rep Vander Woude  
Rep Redman  
Rep Blanksma

Rep Hanks  
Rep Kingsley  
Rep Zollinger  
Rep Wagoner  
Rep Chew  
Rep Rubel

COMMITTEE SECRETARY

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MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Thursday, February 08, 2018  
**TIME:** 8:45 A.M.  
**PLACE:** Room EW20  
**MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel  
**ABSENT/  
EXCUSED:** Representative(s) Perry, Vander Woude, Blanksma  
**GUESTS:** Curtis Sandy, EMSPC; Trinette Middlebrook and Brenda Gully, DHW; Frank Powell, DHW-Rules Unit  
**Chairman Wood** called the meeting to order at 8:45 a.m.  
**DOCKET NO. 16-0202-1701:** **Dr. Curtis Sandy**, Emergency Medicine, Portneuf Hospital, Chairman, Emergency Medical Services (EMS) Physician Commission, presented **Docket No. 16-0202-1701**, the scope of practice and medical supervision for licensed EMS personnel and organizations. Changes update the version from 2017-1 to 2018-1. Added is the Medical Director oversight responsibility with several educational and knowledge-based approaches. Clarification strengthens a Medical Director's indirect supervision program. The medical transport has been updated to provide specialty personnel responsibilities.  
For the record, no one indicated their desire to testify.  
**MOTION:** **Vice Chairman Packer** made a motion to approve **Docket No. 16-0202-1701**.  
**Motion carried by voice vote.**  
**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 8:54 a.m.

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Representative Wood  
Chair

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Irene Moore  
Secretary

AGENDA  
**HOUSE HEALTH & WELFARE COMMITTEE**  
9:00 A.M.  
Room EW20  
Monday, February 12, 2018

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">RS26073</a>	Public Health Districts - Trustees	Rep. Megan Blanksma
<a href="#">RS25912C1</a>	Plan First Idaho	Rep. Matt Erpelding
<a href="#">RS25968</a>	Welfare Benefits - Report	Rep. Matt Erpelding
	Department of Health & Welfare 2019 Budget	Russ Barron, Director

COMMITTEE MEMBERS

Chairman Wood  
Vice Chairman Packer  
Rep Perry  
Rep Vander Woude  
Rep Redman  
Rep Blanksma

Rep Hanks  
Rep Kingsley  
Rep Zollinger  
Rep Wagoner  
Rep Chew  
Rep Rubel

COMMITTEE SECRETARY

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MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

- DATE:** Monday, February 12, 2018
- TIME:** 9:00 A.M.
- PLACE:** Room EW20
- MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel
- ABSENT/  
EXCUSED:** None
- GUESTS:** Tamara Prisock, Niki Forbing-Orr, Christ Smith, Matt Wimmer, Elke Shaw-Tulloch; Joyce Broadsword; Dave Taylor, Julie Hammen, and Michael Farley, DHW; Russ Duke, Central District Health; Kurt Stembridge, GSU; Lee Flinn, Id. Primary Care Assoc.
- Chairman Wood** called the meeting to order at 9:00 a.m.
- MOTION:** **Vice Chairman Packer** made a motion to approve the minutes of the January 30 and February 8, 2018, meetings. **Motion carried by voice vote.**
- RS 26073:** **Rep. Megan Blanksma**, District 23, presented **RS 26073**, to apply the Idaho Open Meeting Law to the Board of Trustees of the Idaho District Boards of Health and create a three-year period for funding formula setting, unless an emergency is recognized.
- MOTION:** **Rep. Redman** made a motion to introduce **RS 26073**. **Motion carried by voice vote.**
- RS 25912C1:** **Rep. Matt Erpelding**, District 19, presented **RS 25912C1**, Plan First Idaho, for a 1115 Waiver to allow women ages 19 to 44 access to family planning for cost savings and decreased unintended or closely spaced pregnancies.
- MOTION:** **Rep. Blanksma** made a motion to introduce **RS 25912C1** with an updated fiscal note. **Motion carried by voice vote.** **Reps. Vander Woude, Kingsley, Packer, and Hanks** requested to be recorded as voting **NAY**.
- RS 25968:** **Rep. Matt Erpelding**, District 19, presented **RS 25968**, to require the Department of Health and Welfare (DHW) compile an annual report listing the top fifty employers with both fifty or more employees and the highest number of employees on welfare benefit programs.
- MOTION:** **Rep. Rubel** made a motion to introduce **RS 25968**. **Motion carried by voice vote.** **Reps. Redman, Vander Woude, Kingsley, Packer, and Hanks** requested to be recorded as voting **NAY**.
- Russ Barron**, Director, DHW, gave a brief overview of the state fiscal year (SFY) 2019 DHW Budget, recommendations, and Medicaid cost containment strategies.
- The total DHW SFY 2019 \$3.14B budget consists of 62.7% federal funding, 25.1% state funding, 9.8% receipts and 2.4% dedicated funds. This is an increase of 9.97% from SFY 2018.
- More than 55% of the General Fund increase addresses Medicaid case load growth and mandatory cost increases, a reduction in hospital cost settlement, and a Federal Medical Assistance Percentages (FMAP) adjustment.

The top General Fund budget recommendations are (in order) the Idaho Health Care Plan, behavioral health Community Crisis Centers and Youth Empowerment Services, technology projects, and employee compensation changes.

Answering questions, **Director Barron** said one Crisis Center has reached the 50% sustainability level and is working on the continued sustainability plan.

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

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Representative Wood  
Chair

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Irene Moore  
Secretary

AGENDA  
**HOUSE HEALTH & WELFARE COMMITTEE**  
9:00 A.M.  
Room EW20  
Tuesday, February 13, 2018

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">RS26087</a>	Limited Use Immunity	Rep. Sue Chew
<a href="#">RS26108</a>	Cannabidiol Oil (CBD)	Rep. Dorothy Moon
<a href="#">RS26140</a>	Hearing Devices	Rep. Ilana Rubel
<a href="#">HCR 38</a>	Eating Disorders Awareness Week	Rep. John McCrostie

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Wood  
Vice Chairman Packer  
Rep Perry  
Rep Vander Woude  
Rep Redman  
Rep Blanksma

Rep Hanks  
Rep Kingsley  
Rep Zollinger  
Rep Wagoner  
Rep Chew  
Rep Rubel

COMMITTEE SECRETARY

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MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Tuesday, February 13, 2018

**TIME:** 9:00 A.M.

**PLACE:** Room EW20

**MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel

**ABSENT/  
EXCUSED:** Vice Chairman Packer

**GUESTS:** Scott Snyder, MD, Idaho American Academy of Pediatrics; Caley Featherstone, LPC, National Eating Disorder Assoc.; Mark Estess, Idaho Chiefs of Police

**Chairman Wood** called the meeting to order at 9:00 a.m.

**RS 26087:** **Rep. Sue Chew**, District 17, presented **RS 26087** to provide limited immunity for persons acting in good faith seeking emergency medical assistance during a controlled substance use crisis.

**MOTION:** **Rep. Redman** made a motion to introduce **26087**. **Motion carried by voice vote.**

**RS 26108:** **Rep. Dorothy Moon**, District 8, presented **RS 26108**, replacing **H 410**. The cannabidiol oil (CBD) definition THC percentage is changed, registration with database information is removed, and the patient must have a physician's statement for use. An emergency clause has been added to allow immediate use upon bill passage.

**MOTION:** **Rep. Blanksma** made a motion to introduce **RS 26108**. **Motion carried by voice vote.**

**RS 26140:** **Rep. Ilana Rubel**, District 18, presented **RS 26140**, a proposed Resolution requesting the Department of Insurance study the issue of medically required hearing aids for children, with recommendations for the next Legislative Session. In general, private insurers do not cover medically required hearing aids for children, resulting in financial, educational, and language issues.

**MOTION:** **Rep. Perry** made a motion to introduce **RS 26140**. **Motion carried by voice vote.**

**HCR 38:** **Rep. John McCrostie**, District 16, presented **HCR 38**, requesting recognition of February 26 to March 4, 2018, as Eating Disorders Awareness Week in conjunction with National Eating Disorders Awareness Week.

**Caley Featherstone**, National Eating Disorder Association, testified **in support of HCR 38**. There are approximately thirty million Americans with clinically significant eating disorders. This population is misrepresented in research funding and most insurance companies do not cover eating disorders care. Idaho has 59,000 individuals with this disorder, only two eating disorders specialists, and no eating disorder treatment center. This resolution provides support and encouragement to show the state cares about this population.

Answering a question, **Ms. Featherston** said eating disorders is now considered a worldwide epidemic, impacted by social media and societal demands. Individuals with eating disorders face lifetime challenges and health consequences. The existing Idaho counselors have patient waiting lists.

For the record, no one else indicated their desire to testify.

**MOTION:** **Rep. Chew** made a motion to send **HCR 38** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. McCrostie** 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.

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Representative Wood  
Chair

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Irene Moore  
Secretary

**AMENDED AGENDA #1**  
**HOUSE HEALTH & WELFARE COMMITTEE**  
**9:00 A.M.**  
**Room EW20**  
**Thursday, February 15, 2018**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">H 472</a>	Rural Physicians - State Match	Rep. John Vander Woude
<a href="#">HCR 41</a>	Group Insurance Committee	Rep. Fred Wood
<a href="#">RS26157</a>	Board of Dentistry - Rule Rejection	Rep. Kelley Packer
<a href="#">RS26158</a>	Health & Welfare - TAFI - Rule Rejection	Rep. Kelley Packer
<a href="#">RS26155</a>	Good Samaritans	Rep. Sally Toone

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Wood	Rep Hanks
Vice Chairman Packer	Rep Kingsley
Rep Perry	Rep Zollinger
Rep Vander Woude	Rep Wagoner
Rep Redman	Rep Chew
Rep Blanksma	Rep Rubel

COMMITTEE SECRETARY

Irene Moore  
Room: EW14  
Phone: 332-1138  
email: [hhel@house.idaho.gov](mailto:hhel@house.idaho.gov)

MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Thursday, February 15, 2018

**TIME:** 9:00 A.M.

**PLACE:** Room EW20

**MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel

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

**GUESTS:** Bridgette Baker, MD and Susie Pouliot, Id. Med. Assn.; Mary Sheridan, IDHW

**Chairman Wood** called the meeting to order at 9:00 a.m.

**MOTION:** **Vice Chairman Packer** made a motion to approve the minutes of the February 5 and 6, 2018, meetings. **Motion carried by voice vote.**

**H 472:** **Rep. John Vander Woude**, District 22, presented **H 472**. Created in 2000, the Rural Physician Incentive Program (RPIP) was designed to bring doctors into rural areas. The current fee funding method is running out while the need increases. A state two-to-one match allows program continuation and better competes with surrounding states. Answering a question, Rep. Vander Woude said new physicians have \$170,000 to \$180,000 in school debt and currently receive a maximum of \$25,000 per year for four years.

**MOTION:** **Rep. Blanksma** made a motion to send **H 472** to the floor with a **DO PASS** recommendation.

**Mary Sheridan**, Bureau Chief, Bureau of Rural Health and Primary Care, RPIP Program Administration, Department of Health and Welfare (DHW), testified **in support of H 472**. This allows the RPIP Board the chance to increase the number of physicians servicing federally designated health shortage areas. Fees come from Idaho students in the University of Utah and Washington, Wyoming, Alaska, Montana, Idaho (WWAMI) programs. They also receive priority RPIP application eligibility.

Answering questions, **Ms. Sheridan** said the program does not require physicians to stay if there are issues. Since its inception, five physicians have had to leave.

**Bridgette Baker**, Family Physician, Nampa, testified **in support of H 472**, sharing her experience as a participant in WWAMI and RPIP. She emphasized neighboring states have more competitive rates, offer up to four times the loan reimbursement, and can be accessed through commuting from Idaho.

**Susie Pouliot**, Idaho Medical Association, Chair, RPIP Board, testified **in support of H 472**. The board receives an average of twenty applications each year and can only give six to seven awards. A rural physician practice supports twelve jobs directly or indirectly, makes an economic contribution of \$1.9M, and generates about \$60,000 in state and local tax revenue. The additional funding can have a major impact in retaining physicians already going through Idaho educational programs.

For the record, no one else indicated their desire to testify.

**VOTE ON  
MOTION:** **Motion carried by voice vote. Vice Chairman Packer** requested to be recorded as voting **NAY. Rep. Vander Woude** will sponsor the bill on the floor.

**Chairman Wood** turned the gavel over to **Vice Chairman Packer**.

- HCR 41:** **Chairman Wood**, District 27, presented **HCR 41**, to reappoint the Interim Committee on Employee Health Benefits. In 2017 the committee hired Mercer, a health care consulting firm, who submitted recommendations. The Department of Administration, who manages the group health insurance state employee program, will issue a Request for Proposal (RFP) to determine the next Third Party Administrator. Approval of **HCR 41** allows the Interim Committee to convene after the session and, with the help of Mercer, assure their recommendations are in the RFP. This will give state employees three new health care options. The maximum fiscal impact would be \$135,000.
- For the record, no one indicated their desire to testify.
- MOTION:** **Rep. Blanksma** made a motion to send **HCR 41** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.**
- Vice Chairman Packer** turned the gavel over to **Chairman Wood**.
- RS 26157:** **Rep. Kelley Packer**, District 28, presented **RS 26157**, to reject **Docket No. 19-0101-1701** for the Idaho State Board of Dentistry, per their request.
- MOTION:** **Rep. Blanksma** made a motion to introduce **RS 26157** and recommend it be sent directly to the Second Reading Calendar. **Motion carried by voice vote. Vice Chairman Packer** will sponsor the bill on the floor.
- RS 26158:** **Rep. Kelley Packer**, presented **RS 26158** to reject the DHW Temporary Assistance for Families in Idaho (TAFI) program **Docket No. 16-0308-1701**, at their request.
- MOTION:** **Rep. Blanksma** made a motion to introduce **RS 26158** and recommend it be sent directly to the Second Reading Calendar. **Motion carried by voice vote. Vice Chairman Packer** will sponsor the bill on the floor.
- RS 26155:** **Rep. Sally Toone**, District 26, presented **RS 26155**. The 1965 Good Samaritan Statute protects citizens during any accident. This update covers situations beyond accidents by including the word "emergency."
- MOTION:** **Rep. Perry** made a motion to introduce **RS 26155. Motion carried by voice vote.**
- Chairman Wood** thanked the page, **Vaughn Schroeder**, for his work with committee.
- ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 9:54 a.m.

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Representative Wood  
Chair

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Irene Moore  
Secretary

AGENDA  
**HOUSE HEALTH & WELFARE COMMITTEE**  
9:00 A.M.  
Room EW20  
Friday, February 16, 2018

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">HCR 36</a>	Childhood Cancer - DIPG	Rep. Greg Chaney
<a href="#">H 495</a>	Health Care Billing Equity Act	Rep. Lynn Luker

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Wood	Rep Hanks
Vice Chairman Packer	Rep Kingsley
Rep Perry	Rep Zollinger
Rep Vander Woude	Rep Wagoner
Rep Redman	Rep Chew
Rep Blanksma	Rep Rubel

COMMITTEE SECRETARY

Irene Moore  
Room: EW14  
Phone: 332-1138  
email: [hhel@house.idaho.gov](mailto:hhel@house.idaho.gov)

MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Friday, February 16, 2018

**TIME:** 9:00 A.M.

**PLACE:** Room EW20

**MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel

**ABSENT/  
EXCUSED:** None

**GUESTS:** Dean Cameron, DOI; Kris Ellis, Eiguren Ellis; Gus Powell and Clay Sealers, Idaho Association of Nurse Anesthetists; Heather Hermestedt, Idaho ACEP; Corey Surber and Megan Rideart, Saint Alphonsus; Tracy Olsen, Self; Amanda Watson, Camp Rainbow Gold; Teresa Harper, College of American Pathologists; Toni Lawson, Idaho Hospital Assoc.; Ken McClure, IMA; Brian Whitlock, IHA; Elizabeth Criner, ISDA; Bill Roden, Select Health

**Chairman Wood** called the meeting to order at 9:00 a.m.

**MOTION:** **Vice Chairman Packer** made a motion to approve the minutes of the February 7, 2018, meeting. **Motion carried by voice vote.**

**HCR 36:** **Rep. Greg Chaney**, District 10, presented **HCR 36** designating May 17th Idaho Diffuse Intrinsic Pontine Glioma (DIPG) Awareness Day to highlight the inoperable tumor's affect on children and encourage families by letting them know they are not alone and have Idaho's support.

**Darren Tanner Hoagland**, testified in support of **HCR 36**. He described his seven year-old stepson, **Beckham Bradley Bice**, who is battling the illness. Mr. Copeland detailed the family's journey to the DIPG diagnosis and its impact on their family. After a thirty-day radiation treatment and some tumor shrinkage, a forum of doctors are currently formulating a new plan, which may include experimental trials, to save Beckham's life.

**Amanda Watson**, Camp Rainbow Gold, testified in support of **HCR 36**. DIPG victims rarely attend the camp.

**MOTION:** **Vice Chairman Packer** made a motion to send **HCR 36** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Chaney** will sponsor the bill on the floor.

**H 495:** **Rep. Lynn Luker**, District 15, presented **H 495**, the Health Care Billing Equity Act. This legislation provides relief for insured individuals who, after release from hospitals, receive unexpected bills from out-of-network providers.

The emergency services provision provides a guaranteed payment at 85% of the nearest in-network provider rate or 145% of the service area Medicare rate. Non-emergency care, including elective surgery, requires a pre-surgery patient signed agreement to allow balance billing. Hospitals can verify provider network standings through their database.

**Dean Cameron**, Director, Department of Insurance (DOI), addressed the committee. This impacts air ambulance services, all five carriers, and is a statewide issue. The DOI is willing and able to assist the Legislature on this issue, which requires compromise by all parties.

Answering questions, **Director Cameron**, said along with the patient, who needs to be held harmless, hospitals need to provide the services, and providers need the freedom to choose to sign contracts.

**Heather Hemstead**, Physician, President, American College of Emergency Physicians, Public Health Policy Expert, testified **in opposition to H 495**. It does not have any real patient protection pieces, assumes physician costs are the problem, and keeps patients from noticing they have insurance coverage gaps. The emergency physicians ask to be a part of discussions. Non-profit organizations, as are used by other states, could be a good model for Idaho.

**Ken McClure**, Idaho Medical Association (IMA), testified **in opposition to H 495**. Return to a broader network and free marketplace would address the problem.

Answering questions, **Mr. McClure** explained most emergency room (ER) providers are already in a network, although there are many networks and some offer highly discounted reimbursements. Inexpensive policies do not offer robust coverage. A payor mix is necessary to cover operational costs.

**Brian Whitlock**, President, Idaho Hospital Association (IHA), testified **in opposition to H 495**. A family needing emergency specialists on a holiday are concerned with their loved one, not network coverage. The IMA will join the interim work team.

**Elizabeth Criner**, Idaho State Dental Association (ISDA), testified **in opposition to H 495**. The ISDA and oral surgeons request inclusion in the discussions.

**Gus Powell**, Idaho Association of Nurse Anesthetists, testified **in support of H 495**. Advanced practice nurses (APNs) are used in hospitals and ERs. Anesthetists and other specialists do not have the ability to meet with patients prior to a procedure. He offered his time and energy to work toward a solution during the interim.

**Norm Varin**, Pacific Source Health Plans, testified **in opposition to H 495**. Their contracts require emergency service at in-network benefits. Although various mechanisms can determine in-network providers, support services are scheduled the day of the procedure, providing no patient knowledge of their network status.

For the record, no one else indicated their desire to testify.

**MOTION:**

**Rep. Zollinger** made a motion to **HOLD H 495** in committee.

Concluding, **Rep. Luker** said the patient has been excluded in the discussions. He asked the germane committee to invite the groups to report back next year.

Responding to a question, **Director Cameron** said a number of stakeholder meetings would be held to narrow the issue focus to balance billing without including compensation levels. Federal law requires payment at network rates for emergencies; however there has been no discussion regarding balance billing for the difference. He agreed to acquire the federal code and help with the negotiations.

**SUBSTITUTE MOTION:**

**Rep. Redman** made a substitute motion to **HOLD H 496** for time certain, two weeks.

**Chairman Wood** stated the issue needs to be solved, either by the stakeholders or by the Legislature next session, cautioning the stakeholders may not like the subsequent legislation.

**ROLL CALL VOTE:**

Roll call vote was requested. **Substitute motion failed by a vote of 3 AYE, 8 NAY, 1 Absent/Excused. Voting in favor of the substitute motion: Reps. Redman, Chew, Rubel. Voting in opposition to the substitute motion: Reps. Wood, Packer, Perry, Vander Woude, Hanks, Kingsley, Zollinger, Wagoner. Absent/Excused: Rep. Blanksma.**



**VOTE ON  
MOTION:**

**Original motion carried by voice vote.**

**ADJOURN:**

There being no further business to come before the committee, the meeting adjourned at 10:53 a.m.

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Representative Wood  
Chair

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Irene Moore  
Secretary

AGENDA  
**HOUSE HEALTH & WELFARE COMMITTEE**  
8:00 A.M.  
Room EW20  
Monday, February 19, 2018

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">RS26092</a>	Health Benefit Plans - Non ACA	Rep. Bryan Zollinger
<a href="#">RS26048</a>	Insurance Contracts - Dental	Elizabeth Criner, Idaho State Dental Association
<a href="#">RS26118</a>	Insurance - Dental Services	Bill Roden, Delta Dental of Idaho
<a href="#">H 505</a>	Physical Therapy - Dry Needling	Emily Patchin, Idaho Physical Therapy Association

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Wood  
Vice Chairman Packer  
Rep Perry  
Rep Vander Woude  
Rep Redman  
Rep Blanksma

Rep Hanks  
Rep Kingsley  
Rep Zollinger  
Rep Wagoner  
Rep Chew  
Rep Rubel

COMMITTEE SECRETARY

Irene Moore  
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email: hhel@house.idaho.gov

MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

- DATE:** Monday, February 19, 2018
- TIME:** 8:00 A.M.
- PLACE:** Room EW20
- MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel
- ABSENT/  
EXCUSED:** None
- GUESTS:** Derek Gerber, ID Physical Therapy Assoc.; Sara Rodgers; Bill Roden, Thomas Burden, and Greg Donace, Delta Dental; Elizabeth Criner, ISDA; Dr. Steve Bruce, ISDA & Self; Dean Campbell, Shanell Rodriguez, Gretchen Huettig, Tess Hahn, Charles Raymond, Teague Scott, Galan Danielson, and Kevin Hulsey, Self; Cass McLean, Self, IAA; Lynette Daudt, Myself; Alan Shaw, Self, St. Lukes MSTI; Karen Young and Kris Ellis, Idaho Acupuncture Assoc.; Fred Birnbaum, Idaho Freedom Found.
- Chairman Wood** called the meeting to order at 8:00 a.m.
- Chairman Wood** introduced and welcomed the new committee page, **Aleana Giles**.
- RS 26092:** **Rep. Bryan Zollinger**, District 33, presented **RS 26092**, proposed health care options legislation to codify the Governor's Executive Order and allow the Director of the Department of Health and Welfare (DHW) and the state to seek specified compliance waivers. Provisions are made for securing participating providers, the pursuit of direct primary care, additional waiver applications, and lifetime participation limitations.
- MOTION:** **Rep. Redman** made a motion to introduce **RS 26092**. **Motion carried by voice vote.**
- RS 26048:** **Elizabeth Criner**, Idaho State Dental Association, presenting **RS 26048**, deferred to **Dr. Steven Bruce**, Dentist, Member, Idaho State Dental Association.
- Dr. Bruce** said **RS 26048** clarifies dental insurance contracts and non-covered services to prevent interference beyond plan coverage and allow the dentist and patient fee negotiation. This addresses the rising costs, unchanged dental plan fees, and lost revenue shift to uninsured patients.
- VOTE ON MOTION:** **Rep. Redman** made a motion to introduce **RS 26048**. **Motion carried by voice vote.**
- RS 26118:** **Bill Roden**, Delta Dental of Idaho, presented **RS 26118** to bring definitions into conformity with the Model Act, as recommended by the National Council of Insurance Legislators (NCOIL).
- MOTION:** **Rep. Blanksma** made a motion to introduce **RS 26118**. **Motion carried by voice vote.**
- H 505:** **Emily Patchin**, Risch Pisca, Idaho Physical Therapy Association, presented **H 505** to add dry needling to the Idaho Physical Therapy Practice Act. Specification in a new section allows dry needling by physical therapists after educational training completion, with specifics promulgated in Rule. Courses must be approved by the board selected Federation of State Boards of Physical Therapy or other accrediting body. The educational recommendation may be 54 hours.

**Derek Gerber**, President, Idaho Physical Therapy Association, President, Faculty Member, Idaho State University Doctoral Program in Physical Therapy, further presented **H 505**. Mechanical needle insertion provides relief from neuroskeletal pain. Physical therapists without this ability face loss of patients seeking the services and new therapists may not come to Idaho for this reason. The state practice act allows needle penetration. This technique has been an effective opioid management tool.

Answering a question, **Mr. Gerber** explained the additional training would include needle precaution and safety. There are several federation approved organizations with dry needling courses.

**Sara Rogers**, Physician, Certified Acupuncturist and Naturopath; **Dean Campbell**, Licensed Acupuncturist; **Cass McClean**, Acupuncturist, Idaho Acupuncture Association; **Shanell Rodriguez**, Licensed Acupuncturist; **Alan Shaw**, Licensed Acupuncturist, St. Luke's Medical Center, Mountain States Tumor Center; **Gretchen Huettig**, Acupuncturist; **Karen Young**, President, Idaho Acupuncture Association; **Kris Ellis**, Idaho Acupuncture Association, testified **in opposition to H 505**.

They were concerned regarding the lack of specified training time and experience for the safe use of the needles. The Federation of State Boards of Physical Therapy is not an Idaho Board of Education recognized accrediting body, which may hamper the Rules promulgation.

**MOTION:** **Rep. Redman** made a motion to send **H 505** to the floor with a **DO PASS** recommendation.

**SUBSTITUTE MOTION:** **Rep. Chew** made a substitute motion to **HOLD H 505** for time certain, at the discretion of the Chair.

**Galan Danielson**, Physician, Physical Therapy Board, Certified Orthopedic Specialist, testified **in support of H 505**. Physical therapists are not asking to perform acupuncture. Thirty-two states allow this procedure. His liability insurance company does not consider the procedure a risk.

**Kevin Hulseley**, Physician, Physical Therapist, testified **in support of H 505**. Dry needling is a tool. The physical therapist scope of practice defines the use of any tool.

For the record, no one else indicated their desire to testify.

**ROLL CALL VOTE:** Roll call vote was requested. **Substitute motion failed by a vote of 2 AYE, 10 NAY. Voting in favor** of the substitute motion: **Reps. Chew, Rubel. Voting in opposition** to the substitute motion: **Reps. Wood, Packer, Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner.**

**VOTE ON MOTION:** **Original motion carried by voice vote. Rep. Chew, Hanks, and Rubel** requested to be recorded as voting **NAY. Vice Chairman Packer** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 10:03 a.m.

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Representative Wood  
Chair

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Irene Moore  
Secretary

**AMENDED AGENDA #1**  
**HOUSE HEALTH & WELFARE COMMITTEE**  
**9:00 A.M.**  
**Room EW20**  
**Tuesday, February 20, 2018**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">RS26202</a>	Controlled Substances - Programs	Cyn Reneau, Truth208 Campaign
<a href="#">RS26204</a>	Legend Drugs - Code Imprint	Rep. Zollinger
<a href="#">HCR 45</a>	Hearing Devices	Rep. Ilana Rubel
<a href="#">H 494</a>	Immunizations - Notification	Rep. Megan Blanksma

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Wood  
Vice Chairman Packer  
Rep Perry  
Rep Vander Woude  
Rep Redman  
Rep Blanksma

Rep Hanks  
Rep Kingsley  
Rep Zollinger  
Rep Wagoner  
Rep Chew  
Rep Rubel

COMMITTEE SECRETARY

Irene Moore  
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MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Tuesday, February 20, 2018

**TIME:** 9:00 A.M.

**PLACE:** Room EW20

**MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel

**ABSENT/  
EXCUSED:** None

**GUESTS:** Cyn Reneau, Truth208; Brian Darcy, IESDB; Lesa Coleman, Kari Baker, Erica Shiflet, and Gretchen Fors, Parent - Id. Hands & Voices; Emily Jones and Corinne Coleman, ID Hands & Voices; Alex Adams, Board of Pharmacy; Karen Sharphand, IIC; Rebecca Coyle, Self, IIC, Parent; Carolyn Bridges, Self; Raffe Hewett and Kathryn Turner, IDHW; Maria Kennedy, ACLU; Toni Lawson, Id. Hospital Assoc.; Susie Pouliot, ID Med. Assoc.; Michelle Wilcox, Agent & Mother; Lee Flinn, Id. Primary Care Assoc.; Kat Ross, Parent

**Chairman Wood** called the meeting to order at 9:00 a.m.

**MOTION:** **Rep. Redman** made a motion to approve the minutes of the February 13, 2018, meeting. **Motion carried by voice vote.**

**MOTION:** **Vice Chairman Packer** made a motion to approve the minutes of the February 15, 2018, meeting. **Motion carried by voice vote.**

**RS 26202:** **Cyn Reneau**, Truth208 Campaign, presented **RS 26202** to house the Truth208 Program within the Idaho Board of Pharmacy, subject to annual appropriations, in order to continue controlled substance abuse or misuse prevention.

**MOTION:** **Rep. Perry** made a motion to introduce **RS 26202**. **Motion carried by voice vote.**

**RS 26204:** **Sen. Tony Potts**, District 33, presented **RS 26204**, which repeals Idaho Code Chapter 32, Title 37 which requires legend drug code imprinting, now a federal manufacturer requirement.

**MOTION:** **Rep. Blanksma** made a motion to introduce **RS 26204**. **Motion carried by voice vote.**

**HCR 45:** **Rep. Ilana Rubel**, District 18, presented **HCR 45** for hearing aid devices for children. The cost of cochlear implants, not covered by insurers, burdens insured families. It also impairs the child's educational prospects, language, brain development, and causes long-term harm. This Resolution begins the conversation with the Department of Insurance (DOI) and private insurers to determine and report back on the scope and impact of this situation.

**Lesa Coleman**, Parent, Idaho Hands and Voices Coordinator, further presented **HCR 45**. The required newborn hearing screening has high compliance, but the intervention is lacking. Insurance law allows exclusion for hearing aids and eye glasses, without provisions for youth.

**MOTION:** **Vice Chairman Packer** made a motion to send **HCR 45** to the floor with a **DO PASS** recommendation.

Answering a question, **Rep. Rubel** said not all pediatric hearing loss is congenital, so asserting an existing legal congenital carve-out would not help others.

**Brian Darcey**, Administrator, Bureau of Educational Services for the Deaf and Blind (IESDB); **Emily Jones**, Idaho Hands and Voices; **Corinne Coleman**, self; **Gretchen Fors**, Parent, President, Idaho Hands and Voices; **Kari Baker**, Parent, Board Member, Idaho Hands and Voices; **Kat Ross**, Parent; **Erica Shiflet**, Board Member, Idaho Hands and Voices, Parent; **Eric Fores**, Parent; **Michelle Wilson**, Insurance Agent, Parent, testified **in support of HCR 45**.

They shared hearing loss examples for themselves or family members. Early intervention is important to help children speak, process, interact with others, and make a difference in the world. The hearing aid loan bank offers only a temporary, short term solution for families. Specialty aids can cost up to \$100,000, with no insurance and limited grants of \$1,500. Insurance covers surgeries, but not habilitating costs. Non-coverage can come as a surprise. This population is living without durable equipment provided to other individuals. Investment return includes society, families, communities, and Idaho.

For the record, no one else indicated their desire to testify.

**VOTE ON MOTION:**

**Motion carried by voice vote. Rep. Rubel** will sponsor the bill on the floor.

**H 494:**

**Rep. Megan Blanksma**, District 23, presented **H 494** to provide signed notification by a parent or guardian acknowledging the child's information is being entered into the Immunization Registry Information System (IRIS), an opt-out program. This is beneficial to both providers and patients as defensible notification proof without causing an undue provider burden.

**Rebecca Coyle**, Citizen, Parent, Executive Director, Immunization Organization, testified **in opposition to H 494**, which adds a significant administrative burden when federal law already requires electronic timestamps. In answer to a question, she said every vaccine administered would require a signature which will also require system changes for IRIS reporting.

**Carolyn Bridges**, Self, Physician, Internal Medicine, Adult Immunizations, Director, Centers for Disease Control, Science, Influenza Division, Parent, testified **in opposition to H 494**, which would diminish the value and utilization of immunizations and is already covered by federal law.

**Susie Pouliot**, CEO, Idaho Medical Association (IMA), testified **in opposition to H 494**, which could create additional work in physicians offices. An unintended consequence could be physicians ceasing vaccinations or patients becoming wary of repeatedly signing forms. The majority of physicians honor the opting out selection.

For the record, no one else indicated their desire to testify.

The committee invited **Raffe Hewett**, Program Manager, Immunization Program, Department of Health and Welfare (DHW), to answer a question. He said 868 individuals have opted out of IRIS and only 67 of those have chosen a total information deletion. A monthly manual quality check determined the 67 records have never been re-entered into IRIS. The system retains only a demographic record for those opting out, blocking any other entry. The total deletion option leaves no demographic record.

**Rep. Blanksma**, in closing remarks, stated the provision is in Idaho Code. This is neither anti-IRIS nor anti-vaccine. There is a separate data base maintained to hold the opt-out names. The signature provides accountability and is already being done by many providers, including the Central District Health.

**MOTION:**

**Rep. Vander Woude** made a motion to send **H 494** to the floor with a **DO PASS** recommendation.

**SUBSTITUTE MOTION:** Rep. Rubel made a substitute motion to **HOLD H 494** in committee.

**ROLL CALL VOTE:** Roll call vote was requested. **Substitute motion failed by a vote of 5 AYE, 7 NAY. Voting in favor** of the substitute motion: **Reps. Wood, Redman, Wagoner, Chew, Rubel. Voting in opposition** to the substitute motion: **Reps. Packer, Perry, Vander Woude, Blanksma, Hanks, Kingsley, Zollinger.**

**ORIGINAL MOTION** **Original motion carried by voice vote. Reps. Wood, Redman, Wagoner, Chew, and Rubel,** requested to 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 10:38 am.

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Representative Wood  
Chair

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Irene Moore  
Secretary



**AMENDED AGENDA #2**  
**HOUSE HEALTH & WELFARE COMMITTEE**  
**9:00 A.M.**  
**Room EW20**  
**Wednesday, February 21, 2018**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">H 546</a>	Anatomical Gifts - Age of Donation	Rep. Jason Monks
	Suicide Prevention Council	Dr. Linda Hatzenbuehler, Chairman
	Office of Suicide Prevention, Department of Health and Welfare	Kim Kane, Program Manager
	Idaho Suicide Prevention Coalition	Shannon Decker, Executive Director

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Wood  
Vice Chairman Packer  
Rep Perry  
Rep Vander Woude  
Rep Redman  
Rep Blanksma

Rep Hanks  
Rep Kingsley  
Rep Zollinger  
Rep Wagoner  
Rep Chew  
Rep Rubel

COMMITTEE SECRETARY

Irene Moore  
Room: EW14  
Phone: 332-1138  
email: [hhel@house.idaho.gov](mailto:hhel@house.idaho.gov)

MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Wednesday, February 21, 2018

**TIME:** 9:00 A.M.

**PLACE:** Room EW20

**MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel

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

**GUESTS:** Avalyn Hine and Jacob Francis, MYAC; Kim Kane and Elke Shaw-Tulloch, IDHW; Jeni Griffin, SPAN; Shannan Decker, ISPC; Heidi Freaney, West Ada Schools

**Chairman Wood** called the meeting to order at 9:00 a.m.

**MOTION:** **Vice Chairman Packer** made a motion to approve the minutes of the February 12, 2018, meeting. **Motion carried by voice vote.**

**H 546:** **Rep. Jason Monks**, District 22, presenting **H 546**, introduced and turned the presentation over to **Avalyn Hine**, Mayor's Youth Advisory Council of Meridian. This legislation decreases organ donor eligibility to 15 years of age, with parental consent using an existing form. The lowered age allows more donor opportunities when teens apply for permits and first licenses.

**Jacob Francis**, Meridian Mayor's Youth Advisory Council, testified **in support of H 546**. His peers have requested the opportunity to make a difference, even after death, by giving of themselves for the betterment of others. This allows youth to show their sense of character, identity, and honor.

For the record, no one else indicated their desire to testify.

**MOTION:** **Rep. Wagoner** made a motion to send **H 546** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Monks** will sponsor the bill on the floor.

**Dr. Linda Hatzenbuehler**, Chairman, Idaho Council on Suicide Prevention, presented the 2017 state report. Suicide has a preventable negative impact on communities, individuals, and families.

A variety of public awareness campaigns and outreach were launched with anti-stigma and culturally specific focuses. Educational efforts include veterans, tribes, juvenile corrections, schools, and audience-specific training. New access to care programs have begun. Survivor support programs include remembrance walks, loss survivor support groups, meetings, and survivor packets.

The Idaho Suicide Prevention Hotline (ISPH) experienced the greatest contact increase since its inception. Chat services and infrastructure upgrades have expanded their responder stations from three to six. A television media campaign was also launched.

The Idaho Suicide Prevention Plan will receive a full rewrite in 2018.

Answering a question, **Dr. Hatzenbuehler** said the Suicide Prevention Plan is a coordinating guide for all prevention activity. Suicide rates are impacted by economic downturns, contagion, and lack of services. Every region needs to be involved in programs to make a difference.

**Kim Kane**, Program Director, Suicide Prevention Program (SPP), Division of Public Health, Department of Health and Welfare (DHW), presented an overview of the program and its activities. Funding has provided a development awareness state campaign, hotline subsistence, and upstream programs for youth healthy coping mechanisms. The SPP provides trainings, consultations, and materials. Future plans will increase efforts with statewide stakeholders and partners to squelch the problem in an overall and comprehensive way.

Invited to answer a question, **John Reusser**, Director, Idaho Suicide Prevention Hotline, said the requested 2018 budget increase will move staff from the crisis phone room to support the supervisory team. A \$129,000 budgetary shortage is expected to be filled through grant funding and the private sector.

Responding to questions, **Ms. Kane** explained sixty-two schools have the healthy coping mechanism program in place. Statewide training involves adult implementation time commitments. The public service announcements are aired at a variety of times, counties, stations, and programs through a marketing company. Collaborative stakeholder efforts include quarterly meetings, with task forces working on areas needing more attention.

Due to time constraints, the presentation by **Shannon Decker**, Executive Director, Idaho Suicide Prevention Coalition, will be rescheduled.

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 10:06 a.m.

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Representative Wood  
Chair

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Irene Moore  
Secretary

AGENDA  
**HOUSE HEALTH & WELFARE COMMITTEE**  
8:00 A.M.  
Room EW20  
Thursday, February 22, 2018

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">H 563</a>	Plan First Idaho	Rep. Mat Erpelding
<a href="#">H 576</a>	Limited Use Immunity	Rep. Mike Kingsley
<a href="#">H 601</a>	Good Samaritans	Rep. Sally Toone
<a href="#">H 562</a>	Public Health Districts - Trustees	Rep. Megan Blanksma

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Wood  
Vice Chairman Packer  
Rep Perry  
Rep Vander Woude  
Rep Redman  
Rep Blanksma

Rep Hanks  
Rep Kingsley  
Rep Zollinger  
Rep Wagoner  
Rep Chew  
Rep Rubel

COMMITTEE SECRETARY

Irene Moore  
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email: hhel@house.idaho.gov

MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Thursday, February 22, 2018  
**TIME:** 8:00 A.M.  
**PLACE:** Room EW20  
**MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel  
**ABSENT/EXCUSED:** Representative(s) Vander Woude  
**GUESTS:** Russ Duke, Central District Health; Nicole Fitzgerald, ODP; Nirmala Sandhu and Lori Burelle, NOW  
**Chairman Wood** called the meeting to order at 8:00 a.m.  
**MOTION:** **Vice Chairman Packer** made a motion to approve the minutes of the February 16, 2018, meeting. **Motion carried by voice vote.**  
**UNANIMOUS CONSENT REQUEST:** **Chairman Wood** made a unanimous consent request to amend the agenda by moving **H 563** to the February 28, 2018, meeting and removing **H 576**, both at the request of the sponsors. There being no objection, the request was granted.  
**H 601:** **Rep. Sally Toone**, District 26, presented **H 601**, to update the Good Samaritan Statute by changing the term "accident" to "emergency" and providing immunity from civil damages.  
For the record, no one indicated their desire to testify.  
**MOTION:** **Vice Chairman Packer** made a motion to send **H 601** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Toone** will sponsor the bill on the floor.  
**H 562:** **Rep. Megan Blanksma**, District 23, presented **H 562** to apply open meeting law code to the district boards of health trustee meetings and specifies any set formula be in use for at least three years.  
Answering questions, **Rep. Blanksma** said the board of trustees sets the formula. The meetings were found to be non-compliant with the open meeting laws.  
For the record, no one indicated their desire to testify.  
**MOTION:** **Rep. Perry** made a motion to send **H 562** to the floor with a **DO PASS** recommendation.  
**ROLL CALL VOTE:** **Motion carried by a vote of 7 AYE, 4 NAY, 1 Absent/Excused. Voting in favor of the motion: Reps. Wood, Packer, Perry, Blanksma, Wagoner, Chew, Rubel. Voting in opposition to the motion: Reps. Redman, Hanks, Kingsley, Zollinger. Rep. Vander Woude was Absent/Excused. Rep. Blanksma will sponsor the bill on the floor.**  
**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 8:21 a.m.

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Representative Wood  
Chair

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Irene Moore  
Secretary

AGENDA  
**HOUSE HEALTH & WELFARE COMMITTEE**  
8:00 A.M.  
Room EW20  
Friday, February 23, 2018

SUBJECT	DESCRIPTION	PRESENTER
<a href="#">H 577</a>	Cannabidiol Oil - CBD	Rep. Dorothy Moon

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Wood	Rep Hanks
Vice Chairman Packer	Rep Kingsley
Rep Perry	Rep Zollinger
Rep Vander Woude	Rep Wagoner
Rep Redman	Rep Chew
Rep Blanksma	Rep Rubel

COMMITTEE SECRETARY

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MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Friday, February 23, 2018

**TIME:** 8:00 A.M.

**PLACE:** Room EW20

**MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel

**ABSENT/  
EXCUSED:** None

**GUESTS:** The sign-in sheet will be retained with the minutes in the committee secretary's office until the end of the session. Following the end of the session, the sign-in sheet will be filed with the minutes in the Legislative Services Library.

**Chairman Wood** called the meeting to order at 8:00 a.m.

**H 577:** **Rep. Dorothy Moon**, District 8, presented **H 577** for cannabidiol oil (CBD) use. She related the story of **Josh Phillips** of Salmon, his athletic dreams, seizures, and results from using CBD oil. At .3% THC is not hallucinogenic, although it is listed as a Schedule I controlled substance. With this legislation, a licensed physician provides a statement of use and monitors the patient's CBD oil use. Hemp is already used in a variety of ways, when THC is not a component.

Answering questions, **Rep. Moon** stated **H 577** would be null and void when CBD is removed from Schedule I. Already available in stores, CBD oil products claiming zero THC may actually contain a trace amount and, therefore, be illegal.

Testifying **in opposition** to **H 577** were **Nicole Fitzgerald**, Administrator, Governors Office of Drug Policy; **John Evans**, Mayor, Garden City; **Rick Allen**, Chief of Police, Garden City, Second Vice President, Fraternal Order of Police; **Jeff Lavey**, Chief of Police, Meridian; **Sarah Clendenon**, Health Freedom Idaho; **William Martin**, Physician; **Mike Kane**, Sheriffs Association; **Monte Stiles**, Former Federal Drug Prosecutor, Drug Educator; **Michael Snyder**, Congressional Candidate; **Matthew Gamette**, Lab. Assistant, Director, Idaho State Police Forensic Services; **Miste Gardner Karlfeldt**, Health Freedom Idaho; **Ann Nord**, State Forensic Laboratory Technician, Coeur d'Alene Laboratory; **Peter Vasquez**, Consultant; **Holly Rebholtz**, Idaho Prosecuting Attorney's Association.

Their concerns included: the impact on law enforcement, lab testing, and prosecutors; the legislation's necessity when an FDA approved product is pending; the quality of CBD artisan products; the lack of established testing, procedures and studies; the omission of dosage, purchase or possession limits; physician note legitimacy discernment; possible step toward marijuana legalization; the omission of the Prescription Monitoring Program; the conflict with a Ninth Circuit Court decision; the unlikelihood of insurance coverage; and, the lack of oil specification in the definition.

Testifying **in support** of **H 577** were **Holly Bunderson**, Mother of **Scout**; **Brad Arndt**, Self; **Dr. Ann Huycke**, Integrative Medicine, Former Emergency Room Physician; **Erik Nelson**, Self; **Bryce Bunderson**, Father of **Scout**; **Phil Haunschild**, Idaho Freedom Foundation; **Katie Donahue**, Cannabis Patient.

They shared personal stories, the impact of CBD oil on life quality, the stress of choosing to break the law, CBD use for conditions beyond epilepsy, FDA red tape, the suspected high cost of Epidiolex, and the importance of physician involvement.

**Anne Lawler**, Executive Director, Board of Medicine (BOM), testified. Although no official position on **H 577**, the BOM suggests revision to maintain its ability for investigating and imposing action upon physicians causing patient harm. She also requested removal of neurologist references, a non-BOM regulated specialty.

For the record no one else indicated their desire to testify.

**MOTION:** **Rep. Zollinger** made a motion to send **H 577** to the floor with a **DO PASS** recommendation.

**SUBSTITUTE MOTION:** **Rep. Wagoner** made a substitute motion to send **H 577** to General Orders.

**MOTION WITHDRAWN:** After committee discussion, **Rep Wagoner** withdrew his substitute motion to send **H 577** to General Orders.

**VOTE ON MOTION:** **Original motion carried by voice vote. Rep. Moon** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 10:16 a.m.

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Representative Wood  
Chair

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Irene Moore  
Secretary



AGENDA  
**HOUSE HEALTH & WELFARE COMMITTEE**  
8:30 A.M.  
Room EW20  
Monday, February 26, 2018

SUBJECT	DESCRIPTION	PRESENTER
<a href="#">H 615</a>	Health Benefits - Non Affordable Care Act	Rep. Bryan Zollinger

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Wood  
Vice Chairman Packer  
Rep Perry  
Rep Vander Woude  
Rep Redman  
Rep Blanksma

Rep Hanks  
Rep Kingsley  
Rep Zollinger  
Rep Wagoner  
Rep Chew  
Rep Rubel

COMMITTEE SECRETARY

Irene Moore  
Room: EW14  
Phone: 332-1138  
email: [hhel@house.idaho.gov](mailto:hhel@house.idaho.gov)

MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

- DATE:** Monday, February 26, 2018
- TIME:** 8:30 A.M.
- PLACE:** Room EW20
- MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel
- ABSENT/  
EXCUSED:** None
- GUESTS:** The sign-in sheet will be retained with the minutes in the committee secretary's office until the end of the session. Following the end of the session, the sign-in sheet will be filed with the minutes in the Legislative Services Library.
- Chairman Wood** called the meeting to order at 8:30 a.m.
- MOTION:** **Vice Chairman Packer** made a motion to approve the minutes of the February 19, 2018, meeting. **Motion carried by voice vote.**
- H 615:** **Rep. Bryan Zollinger**, District 33, presented **H 615**. This legislation codifies the Executive Order to provide non-Affordable Care Act (ACA) compliant plans. It also allows the Department of Health and Welfare (DHW) direct primary care system use for current Medicaid participants through an 1115 Medicaid Waiver, with allowance for physician non-participation. A second waiver 1115 Medicaid Waiver allows the DHW to impose work requirements and lifetime limits, as specified. All drafted waivers will need legislative authorization during the next session. This legislation provides specific exemptions and notations to maintain disabled persons on Medicaid.
- Testifying **in opposition** to **H 615** were **Muriel Roberts**, League of Women Voters of Idaho, on behalf of **Susan Ripley**, League President; **Kathy Garrett**, National Alliance on Mental Illness (NAMI), Idaho Chapter; **Ian Bott**, Self; **Cece Thunes**, Idaho Behavioral Health Alliance; **Brian Whitlock**, Idaho Hospital Association; **Jim Baugh**, Disability Rights Idaho; **Christine Pisani**, Executive Director, Idaho Council on Developmental Disabilities; **Susie Pouliot**, Chief Executive Officer, Idaho Medical Association.
- Allowing insurance coverage outside the ACA will not be helpful to uninsured Idahoans. The five-year limitation does not clearly exclude Idahoans with disabilities. Individuals with disabilities want and do work at minimum or lower wages through employers who may not offer health coverage. The Direct Primary Care (DPC) model coverage is unclear. Medicaid dual eligible participation helps persons be community members, college graduates, and live on their own. Codification does not help any legal challenge. Waiver approval can take up to two years. The lifetime requirement will lead to a managed care plan mass exodus. Persons with disabilities are not universally eligible for disability programs. Many uncertainties exist with the new Centers for Medicare and Medicaid Services (CMS) Director. DPC is a funding mechanism for implementing the Patient Centered Medical Home (PCMH).
- Charles Katebi**, State Manager, Heartland Institute, testified **in support** of **H 615**, which expands affordable health care access and introduces cost-reducing health care reforms. Studies are indicating a DPC positive cost impact on patients and programs. Answering a question, Mr. Katebi said non-compliant plans would entice younger, healthier people back to the market and stabilize the ACA single risk pool.

**Fred Birnbaum**, Idaho Freedom Foundation, testified in support of **H 615**, explaining the role of productive employment in reform and improving outcomes. This legislation will help the GAP population without Medicaid enrollment. Improved employment has dropped the number of individuals within the GAP. With cost sharing reductions, insurance is very affordable. Answering a question, he said individuals within the GAP need encouragement to work and lift themselves out of the situation.

**Russ Barron**, Director, DHW, was invited to comment on **H 615**. The 300,000 current Medicaid participants could be given the choice to move to the DPC pilot program with an approved waiver and more legislation to assure the medical community participation and accountability controls. There have been 700 individuals identified who may meet the work requirements. The lifetime limits would impact 11,000 able-bodied individuals, 56% of whom have been on Medicaid for one year or less. CMS has not approved any waivers adding Medicaid time limits. A conservative fiscal estimate is \$1.3M. He expressed concern with a possible Medicaid cost reduction, a large price tag, and a barely noticeable cost curve impact.

For the record, no one else indicated their desire to testify.

In closing, **Rep. Zollinger** stated this plan is not intended to cover the GAP population, although there is a benefit to drawing the healthy young persons into the insurance pool. Lifetime limit exclusions are provided. No one with a disability will have a lifetime limit. The statement "where practicably possible" provides DPC allowances. Running the DPC pilot program through Medicaid and the DHW efficiently saves money, sets rules, governs the program, and evaluates its success. The waiver must comply with CMS guidelines, which is a safety net for any exclusions. The five-year limit allows time to set and achieve goals.

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

**SUBSTITUTE MOTION:** **Rep. Rubel** made a substitute motion to **HOLD H 615** in committee.

**AMENDED SUBSTITUTE MOTION:** **Rep. Kingsley** made an amended substitute motion to send **H 615** to General Orders.

**ROLL CALL VOTE:** **Amended substitute motion failed by a vote of 4 AYE, 8 NAY. Voting in favor** of the amended substitute motion: **Reps. Vander Woude, Hanks, Kingsley, Zollinger. Voting in opposition** to the amended substitute motion: **Reps. Wood, Packer, Perry, Redman, Blanksma, Wagoner, Chew, Rubel.**

**ROLL CALL VOTE:** **Substitute motion carried by a vote of 8 AYE, 4 NAY. Voting in favor** of the substitute motion: **Reps. Wood, Packer, Perry, Redman, Blanksma, Wagoner, Chew, Rubel. Voting in opposition** to the substitute motion: **Reps. Vander Woude, Hanks, Kingsley, Zollinger.**

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 11:01 a.m.

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Representative Wood  
Chair

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Irene Moore  
Secretary

AGENDA  
**HOUSE HEALTH & WELFARE COMMITTEE**  
8:30 A.M.  
Room EW20  
Tuesday, February 27, 2018

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">RS26267</a>	Medical Help - Overdose - Prosecution	Rep. Sue Chew
<a href="#">H 617</a>	Controlled Substances - Programs	Cyn Reneau, Truth208
<a href="#">H 618</a>	Legend Drugs - Code Imprint`	Rep. Bryan Zollinger
	Idaho Suicide Prevention Coalition	Shannon Decker, Executive Director

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Wood  
Vice Chairman Packer  
Rep Perry  
Rep Vander Woude  
Rep Redman  
Rep Blanksma

Rep Hanks  
Rep Kingsley  
Rep Zollinger  
Rep Wagoner  
Rep Chew  
Rep Rubel

COMMITTEE SECRETARY

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MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Tuesday, February 27, 2018

**TIME:** 8:30 A.M.

**PLACE:** Room EW20

**MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel

**ABSENT/  
EXCUSED:** None

**GUESTS:** Cyn Reneau, Truth208; Alex Adams, Board of Pharmacy; Elke Shaw-Tulloch, IDHW  
**Chairman Wood** called the meeting to order at 8:30 a.m.

**MOTION:** **Vice Chairman Packer** made a motion to approve the minutes of the February 20, 2018, meeting. **Motion carried by voice vote.**

**RS 26267:** **Rep. Sue Chew**, District 17, presented **RS 26267**. This legislation provides and specifies an individual's protection from charges or prosecution when seeking medical assistance for a drug-related overdose.

**MOTION:** **Rep. Rubel** made a motion to introduce **RS 26267**. **Motion carried by voice vote.**

**H 617:** **Cyn Reneau**, Truth208, presented **H 617**. The Truth208 campaign provides statewide drug use and abuse education along with safe disposal containers for medications. This legislation houses the campaign within the Board of Pharmacy (BOP), which can provide usage data for accurate messaging. The campaign has filed for a non-profit organizational status.

**Sara Stover**, Governor's Budget Office, was invited to answer a question. She said the fiscal year (FY) 2018 designated Millennium funds not used by the campaign are expected to be used in FY 2019. No additional state funding requests are expected.

Also invited to answer questions, **Alex Adams**, Executive Director, BOP, said the **H 617** does not mandate the BOP sponsorship. Housing the campaign allows it to solicit sponsorship and federal grants. Existing staff would continue to focus on BOP directives.

Responding to questions, **Ms. Reneau** explained Truth208 decided to align the provider education with public education, which the BOP also does with a statewide focus.

For the record, no one indicated their desire to testify.

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

**Mr. Adams**, answering another question, stated the BOP Board was open and receptive to taking on this campaign. Although a departure from their mission, it is synergistic with their efforts.

Answering the question further, **Ms. Reneau** explained Truth208 has been operating under a fiscal agency of the Idaho Meth Project and has modeled its teen programs after that project.

**SUBSTITUTE  
MOTION:** **Vice Chairman Packer** made a substitute motion to **HOLD H 617** in committee.

**ROLL CALL VOTE:** **Substitute motion carried by a vote of 9 AYE, 3 NAY. Voting in favor of the substitute motion: Reps. Wood, Packer, Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Wagoner. Voting in opposition to the substitute motion: Reps. Zollinger, Chew, Rubel.**

**H 618:** **Rep. Bryan Zollinger**, District 33, presented **H 618**, repealing the legend drug label imprint code requirement. In 1993 the Federal Drug Administration implemented similar regulations, making the state code obsolete.

For the record, no one indicated their desire to testify.

**MOTION:** **Vice Chairman Packer** made a motion to send **H 618** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Zollinger** will sponsor the bill on the floor.

**Shannon Decker**, Executive Director, Co-Founder, presented information on the Idaho Suicide Prevention Coalition. Formed in 2015, the Coalition's first purpose was to secure funding for the Suicide Prevention Hotline.

The Coalition has three core focuses. The first, public policy, includes gatekeeper training to identify at-risk students and provide assessment referrals. An informational portal displays multiple statewide prevention programs and trainings. Finally, increasing membership mobilizes stakeholders and provides funding. Working committees continue to review and target specific areas. The Western States Suicide Prevention Symposium will be held in September at Boise State University.

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

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Representative Wood  
Chair

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Irene Moore  
Secretary

AGENDA  
**HOUSE HEALTH & WELFARE COMMITTEE**  
8:30 A.M.  
Room EW20  
Wednesday, February 28, 2018

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">H 649</a>	Medical Help - Overdose - Prosecution	Rep. Sue Chew
<a href="#">H 563</a>	Plan First Idaho	Rep. Mat Erpelding

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

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Rep Perry  
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Rep Chew  
Rep Rubel

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MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Wednesday, February 28, 2018

**TIME:** 8:30 A.M.

**PLACE:** Room EW20

**MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel

**ABSENT/  
EXCUSED:** Representative(s) Vander Woude

**GUESTS:** The sign-in sheet will be retained with the minutes in the committee secretary's office until the end of the session. Following the end of the session, the sign-in sheet will be filed with the minutes in the Legislative Services Library.

**Chairman Wood** called the meeting to order at 8:30 a.m.

**MOTION:** **Vice Chairman Packer** made a motion to approve the minutes of the February 21 and 22, 2018, meetings. **Motion carried by voice vote.**

**H 649:** **Rep. Sue Chew**, District 17, presented **H 649**, an update of the Good Samaritan Law to address the opioid crisis.

**Paul Panther**, Chief, Criminal Law Division, Attorney General's Office, further presented **H 649**, without endorsement. This legislation helps persons experiencing, or with someone experiencing, a drug overdose or other medical emergency to call for assistance without fear of prosecution for the possession of the paraphernalia or being under the influence. Other non-listed drug related situations would still carry prosecution. Provision is made for future prosecution involving evidence found at the scene.

**Don Hayes**, Director, Operations, Peer Wellness Center, testified **in support of H 649**. He shared the story of his daughter's heroine overdose and how she was dumped on the curb by persons fearful of being caught.

**Rosie Andueza**, Manager, Substance Abuse Program, Division of Behavioral Health, Department of Health and Welfare (DHW), shared opioid crisis statistics. The federal funding for Idaho's Response to the Opioid Crisis (IROC) has led to medication-assisted treatment, recovery supports and centers, prescriber education, and purchases of naloxone. The DHW is **neutral** on **H 649** until their bill analysis is completed.

**Margi Strohl**, Social Worker, Ada County Drug Court, testified **in support of H 649**. Her clients want to make a call for help for their friends instead of leaving them somewhere. Young people need support to do the right thing at a critical time.

**Monica Forbes**, Recovery Community Centers of Idaho, testified **in support of H 649**. Without this opportunity to get help and fight their way out of the addiction, the numbers of deaths will continue to rise. This is a non-socio-economic addiction.

Answering a question, **Ms. Forbes** estimated 30 lives were lost by accidental overdose over the last three years. She knew of five specific Boiseans who would have been saved, had this been in effect.

**MOTION:** **Rep. Redman** made a motion to send **H 649** to the floor with a **DO PASS** recommendation.

No one else indicated their desire to testify.



In closing remarks, **Rep. Chew** said **H 649** was designed to work well with victims, prosecutors, law enforcement, and communities.

**VOTE ON MOTION:**

**Motion carried by voice vote. Rep. Chew** will sponsor the bill on the floor.

**H 563:**

**Rep. Mat Erpelding**, District 19, presented **H 563**, Plan First Idaho. This legislation provides family planning services and supplies to women ages 19-44, with incomes at or below 133% of the federal poverty level (FPL), who are ineligible for healthcare, Medicare, or Medicaid.

Women in this population are at higher risk for unintended pregnancies and delayed pre-natal care. Medicaid covers 43% of all Idaho births. Of those births, 54% of the infants go onto Medicaid coverage.

Through **H 563**, the Department of Health and Welfare (DHW) is directed to apply for a Medicaid 1115 Waiver with a five-year demonstration program. This legislation does not include abortions. If the waiver is not approved, this legislation would not move forward. The waiver provides a 90/10 federal fund match, as opposed to the 71/29 Medicaid match. The estimated state cost is \$630,000 per year.

Answering a question, **Rep. Erpelding** said the primary focus is long-term planning mechanisms to avoid unintended pregnancies, which includes birth control access.

**Russ Duke**, Director, Central District Health Department, Public Health District 4, was invited to provide additional information. The included preconception planning provides other health screenings. Two public health districts no longer offer reproductive health services and there are no federally-qualified health centers in those areas. In Public Health District 5, Planned Parenthood received Title 10 funding to be used only in that county.

**Ian Troesoyer**, Southeast Public District 6, Registered Nurse, testified **in support of H 563**. This would improve access and likely reduce abortions and provider costs.

**Nirmala Sandhu**, Southwest Idaho Chapter, National Organization for Women (NOW), testified **in support of H 563**. Nearly half of all pregnancies are unintended. Delayed access to prenatal care has negative outcomes. The state's investment would be minimal and the cost savings would be substantial.

**Andrew Baron**, Chief Medical Officer, Terry Reilly Health Services, testified **in support of H 563** because planned pregnancies lead to healthy babies and children. Office visit and prescription costs are often too much for this group of women. They need the chance to establish a family physician relationship and prepare for the baby through their health choices.

**Gina Pannell**, Resident, Public Health Professional, Public Health Department, Parent, testified **in support of H 563**. This legislation empowers families.

**Dr. Billy Gallagher**, Family Medicine Resident, testified **in support of H 563**. His patient family planning discussions include drugs, alcohol habits, cigarettes, sexual activities, obesity, blood pressure, education, career, and two parent households.

**MOTION:**

**Rep. Blanksma** made a motion to send **H 563** to the floor with a **DO PASS** recommendation.

**Nichole Stull**, Self, testified **in support of H 563**. She described her insurance loss, husband's job loss, health issues, unintended pregnancy, and complications. She wants, but cannot afford, a doctor to answer questions and help with her issues.

**Hillare Hagen**, Self, testified **in support of H 563**, describing her marriage, struggle to pay bills, living in rural Idaho, lack of health coverage to plan for starting their family, and unintended pregnancies. She has noticed families without family planning services are larger, which leads to more financial instability.

**Lauren Necochea**, Idaho Voices for Children, requested the committee be in **support** of **H 563**. Many women can benefit and have healthier babies.

For the record no one else indicated their desire to testify.

Responding to questions, **Rep. Erpelding** explained Planned Parenthood would receive resources in payment for services; however, funds would not be funneled to them and would not be used for abortions.

**VOTE ON  
MOTION:**

**Motion carried by voice vote. Reps. Zollinger, Hanks, and Kingsley** requested to be recorded as voting **NAY**. **Rep. Erpelding** will sponsor the bill on the floor.

**ADJOURN:**

There being no further business to come before the committee, the meeting adjourned at 10:24 a.m.

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Representative Wood  
Chair

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Irene Moore  
Secretary

AGENDA  
**HOUSE HEALTH & WELFARE COMMITTEE**  
8:30 A.M.  
Room EW20  
Thursday, March 01, 2018

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>SCR 131</u></a>	Cytomegalovirus Awareness Month	Sen. Abby Lee
<a href="#"><u>SCR 136</u></a>	Social Work Month	Sen. Cherie Buckner-Webb
<a href="#"><u>SCR 129</u></a>	Self-sufficient Families	Sen. Steven P. Thayne

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Wood  
Vice Chairman Packer  
Rep Perry  
Rep Vander Woude  
Rep Redman  
Rep Blanksma

Rep Hanks  
Rep Kingsley  
Rep Zollinger  
Rep Wagoner  
Rep Chew  
Rep Rubel

COMMITTEE SECRETARY

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

MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Thursday, March 01, 2018  
**TIME:** 8:30 A.M.  
**PLACE:** Room EW20  
**MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel  
**ABSENT/  
EXCUSED:** Representative(s) Vander Woude  
**GUESTS:** None  
**Chairman Wood** called the meeting to order at 8:30 a.m.  
**MOTION:** **Vice Chairman Packer** made a motion to approve the minutes of the February 27, 2018, meeting. **Motion carried by voice vote.**  
**UNANIMOUS  
CONSENT  
REQUEST:** **Chairman Wood** made a unanimous consent request to move **SCR 131** to the end of the agenda. There being no objection, the request was granted.  
**SCR 136:** **Sen. Cherie Buckner-Webb**, District 19, presented **SCR 136**, designating March 2018 Social Work Month, in conjunction with the national Social Work Month celebration. Social workers impact the lives of Idahoans as an invaluable community resource. Their core values are social justice, dignity and worth of the person, importance of human relationships, integrity, and competence.  
**MOTION:** **Rep. Perry** made a motion to send **SCR 136** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Rubel** will sponsor the bill on the floor.  
**SCR 129:** **Sen. Steven Thayne**, District 8, presented **SCR 129**, recognizing the importance of self-funded families and the need for partnership with the Legislature. Student programs already exist providing funds for advanced or technical career courses.  
**MOTION:** **Rep. Redman** made a motion to send **SCR 129** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Hanks** will sponsor the bill on the floor.  
**SCR 131:** **Sen. Abby Lee**, District 9, presented **SCR 131**. Although cytomegalovirus (CMV) is the leading cause of congenital disabilities for children, most Idahoans are unaware of their infection status. This Resolution recognizes June as CMV Awareness Month, in conjunction with National CMV Awareness. Distribution of brochures begins in May to day care facilities, which are high-risk locations.  
**MOTION:** **Rep. Blanksma** made a motion to send **SCR 131** 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 8:49 a.m.

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Representative Wood  
Chair

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Irene Moore  
Secretary

AGENDA  
**HOUSE HEALTH & WELFARE COMMITTEE**  
8:00 A.M.  
Room EW20  
Monday, March 05, 2018

<u>SUBJECT</u>	<u>DESCRIPTION</u>	<u>PRESENTER</u>
<a href="#"><u>SCR 135</u></a>	Emergency Medical Services - Volunteers	Sen. Bert Brackett
<a href="#"><u>S 1310</u></a>	Emergency Medical Services - Standards	Sen. Bert Brackett
<a href="#"><u>S 1250</u></a>	State Employees - Organ Donations	Sen. Lee Heider
<a href="#"><u>S 1249</u></a>	Education - Organ Donation	Sen. Lee Heider

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Wood  
Vice Chairman Packer  
Rep Perry  
Rep Vander Woude  
Rep Redman  
Rep Blanksma

Rep Hanks  
Rep Kingsley  
Rep Zollinger  
Rep Wagoner  
Rep Chew  
Rep Rubel

COMMITTEE SECRETARY

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MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Monday, March 05, 2018

**TIME:** 9:00 A.M.

**PLACE:** Room EW20

**MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel

**ABSENT/  
EXCUSED:** None

**GUESTS:** Wayne Denny and Brenda Gully, DHW/EMS

**Chairman Wood** called the meeting to order at 8:00 a.m.

**MOTION:** **Vice Chairman Packer** made a motion to approve the minutes of the February 26 and March 1, 2018, meetings. **Motion carried by voice vote.**

**SCR 135:** **Sen. Bert Brackett**, District 23, presented **SCR 135** to encourage the Idaho Bureau of Emergency Medical Services (EMS) to follow up on the 2012 Town Hall Meetings Report and determine what challenges remain in recruitment and retention of emergency providers, focusing on rural areas and their challenges. The Resolution also encourages Legislative members and stakeholders to attend the town hall meetings.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Blanksma** made a motion to send **SCR 135** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Blanksma** will sponsor the bill on the floor.

**S 1310:** **Sen. Bert Brackett**, District 23, presented **S 1310** to allow Emergency Medical Responders (EMRs), with an EMS certificate, to serve as ambulance attendants. This assures rural medical response unit viability, maintains patient care and provides an opportunity for ambulance EMR attendants to transition to EMT levels.

**MOTION:** **Rep. Blanksma** made a motion to send **S 1310** to the floor with a **DO PASS** recommendation.

**Wayne Denny**, Bureau Chief, Bureau of EMS and Preparedness, Department of Health and Welfare, was invited to answer questions. Idaho has the most robust emergency radio system in the country for all responders. The valid ambulance certificate will incorporate current optional training modules and be promulgated in Rules presented during the next legislative session.

For the record, no one indicated their desire to testify.

**VOTE ON  
MOTION:** **Motion carried by voice vote.** **Rep. Blanksma** will sponsor the bill on the floor.

**S 1250:** **Sen. Lee Heider**, District 24, presented **S 1250**. This legislation communicates to state employees their ability to be organ donors and receive paid leave.

**MOTION:** **Rep. Perry** made a motion to send **S 1250** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Perry** will sponsor the bill on the floor.

**S 1249:** **Sen. Lee Heider**, District 24, presented **S 1249**. This legislation directs the colleges to biannually electronically notify all students regarding their ability to be organ donors. This population is a healthy donor source and often do not have drivers licenses.

Answering a question, **Sen. Heider** said donor status can be stipulated through the Organ Donor Registry or Drivers License Services.

**MOTION:** **Rep. Redman** made a motion to send **S 1249** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Perry** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 8:21 a.m.

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Representative Wood  
Chair

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Irene Moore  
Secretary

AGENDA  
**HOUSE HEALTH & WELFARE COMMITTEE**  
9:00 A.M.  
Room EW20  
Tuesday, March 06, 2018

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">S 1271</a>	Health Care - Confidentiality	Kris Ellis, Idaho Health Care Association
<a href="#">S 1296</a>	Mental Disabilities	Ian Freeman, Senate Intern
	Community NOW! Report - Supports and Services Recommendations	Christine Pisani, Idaho Council on Developmental Disabilities

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Wood  
Vice Chairman Packer  
Rep Perry  
Rep Vander Woude  
Rep Redman  
Rep Blanksma

Rep Hanks  
Rep Kingsley  
Rep Zollinger  
Rep Wagoner  
Rep Chew  
Rep Rubel

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MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Tuesday, March 06, 2018

**TIME:** 9:00 A.M.

**PLACE:** Room EW20

**MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel

**ABSENT/  
EXCUSED:** Representative(s) Vander Woude

**GUESTS:** Nic Day, Aspen Day, Kaitlyn Crumpton, and Tina Day, Guardian Paws Service Dogs; Bill Roscoe and Frank Lee, Boise Rescue Mission; Ian Freeman, Myself; Kris Ellis, Kim Stanger, and Michael Sharp, IHCA; Marsha Bracke, Bracke & Asso.; Christine Pisani and Karen Westbrook, Id DD Council, Community NOW!; Toni Brinegar, ICDD; Tim McBride, MOPH

**Chairman Wood** called the meeting to order at 9:00 a.m.

**MOTION:** **Vice Chairman Packer** made a motion to approve the minutes of the February 23, 28, and March 5, 2018, meetings. **Motion carried by voice vote.**

**S 1271:** **Kris Ellis**, Idaho Healthcare Association, presented **S 1271** to add assisted living and residential care facilities to the existing peer review statute and its records subpoena exemption.

**MOTION:** **Vice Chairman Packer** made a motion to send **S 1271** to the floor with a **DO PASS** recommendation.

**Michael Sharp**, Edgewood Assisted Living Company, testified **in support of S 1271**. This change will allow their communities to conduct patient safety investigations with protection from subpoenas.

For the record, no one else indicated their desire to testify.

**VOTE ON MOTION:** **Motion carried by voice vote. Rep. Redman** will sponsor the bill on the floor.

**S 1296:** **Ian Freeman**, Self, presented **S 1296**, legislation regarding service dogs. Statute definition changes expand and include mental disabilities to better align with the American Disabilities Act (ADA).

**Tina Day**, Guardian Paws Service Dogs, with her lead service dog, **Ares**, testified **in support of S 1296**. Service dogs are used for post traumatic stress disorder (PTSD) and other psychosocial disorders. The ADA was amended in 2010 to acknowledge PTSD and the de-escalation service dogs provide for its physical component.

**Tim McBride**, Fruitland, Veteran, Military Order of the Purple Heart, along with his service dog, **Boomer**, testified **in support of S 1296**. He explained his background, qualification for a service dog, and how Boomer helps him in a variety of situations. PTSD affects many people, not just veterans, and many organizations help supply service dogs in a variety of sizes and breeds.

**MOTION:** **Vice Chairman Packer** made a motion to send **S 1296** to the floor with a **DO PASS** recommendation.

**Cheryl Bloom**, Consortium for Idahoans with Disabilities, testified **in opposition** to **S 1296**, which needs further expansion and clarification. Additionally, there is no protection offered beyond what already exists in the ADA. More extensive legislation is being refined and will be brought next year.

**Nic Day**, Guardian Paws Service Dogs, testified **in support** of **S 1296**. Idaho service dogs are not treated as described in the ADA and are not allowed everywhere. He described some of his PTSD issues and how his dog changes the situation, when present.

**Bill Rosco**, CEO, Boise Rescue Mission, testified **in opposition** to **S 1296**. Although he fully supports the use of service dogs, the changes will impact the Mission, a dormitory housing environment where animals of any kind create a problem for guests and staff. He requested service animals be designated as stated in the ADA.

**Frank Lee**, Pro bono Legal Counsel, Boise Rescue Mission, testified **in opposition** to **S 1296**. Without further clarification, fines and associated court costs will occur for the Boise Rescue Mission. Answering a question, he said, although exempt, the Mission does follow the ADA.

Responding to a question, **Mr. Freeman** stated this part of the statute refers to specifically trained service dogs, not other animals, and defines the disabilities.

**SUBSTITUTE MOTION:**

**Rep. Rubel** made a substitute motion to send **S 1296** to General Orders.

**AMENDED SUBSTITUTE MOTION:**

**Rep. Chew** made an amended substitute motion to **HOLD S 1296** in committee.

**ROLL CALL VOTE:**

**Josh Swenkins**, Genesis Service Dogs, testified **in opposition** to **S 1296**. Businesses turn individuals with service dogs away because they do not know the ADA regulations. Changes would better mirror the ADA.

Roll call vote was requested. **The amended substitute motion failed by a vote of 1 AYE, 10 NAY, 1 Absent/Excused. Voting in favor** of the amended substitute motion: **Rep. Chew. Voting in opposition** to the amended substitute motion: **Reps. Wood, Packer, Perry, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Rubel. Rep. Vander Woude** was absent.

**ROLL CALL VOTE:**

Roll call vote was requested. **The substitute motion failed by a vote of 3 AYE, 8 NAY, 1 Absent/Excused. Voting in favor** of the substitute motion: **Reps. Wagoner, Chew, Rubel. Voting in opposition** to the substitute motion: **Reps. Wood, Packer, Perry, Redman, Blanksma, Hanks, Kingsley, Zollinger. Rep. Vander Woude** was absent.

**VOTE ON MOTION:**

**Original motion carried by voice vote. Rep. Chew** requested to be recorded as voting **NAY. Rep. Syme** will sponsor the bill on the floor.

Due to time constraints, the Community NOW! Report will be carried over to the committee meeting on Thursday, March 8, 2018.

**ADJOURN:**

There being no further business to come before the committee, the meeting adjourned at 10:00 a.m.

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Representative Wood  
Chair

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Irene Moore  
Secretary

**AMENDED AGENDA #1**  
**HOUSE HEALTH & WELFARE COMMITTEE**  
**8:30 A.M.**  
**Room EW20**  
**Thursday, March 08, 2018**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>S 1321</u></a>	Dentists - License Credentials	Sen. Lee Heider
<a href="#"><u>S 1235</u></a>	Board of Nursing - Education	Sandy Evans, Executive Director
<a href="#"><u>SCR 140</u></a>	Skilled Nursing Facility	Rep. Neil Anderson
	Community NOW! Report Supports and Services Recommendations	Christine Pisani, Idaho Council on Developmental Disabilities

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Wood  
Vice Chairman Packer  
Rep Perry  
Rep Vander Woude  
Rep Redman  
Rep Blanksma

Rep Hanks  
Rep Kingsley  
Rep Zollinger  
Rep Wagoner  
Rep Chew  
Rep Rubel

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MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Thursday, March 08, 2018

**TIME:** 8:30 A.M.

**PLACE:** Room EW20

**MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel

**ABSENT/  
EXCUSED:** Representative(s) Vander Woude

**GUESTS:** Tracey Sessions and Dave Taylor, DHW; Art Evans, Medicaid; Christine Pisani and Toni Brinegar, Idaho DD Council; Randall Hudspeth, PhDRN, IALN; Sandy Evans and Susan Odom, Board Nursing; Michael McGrane, Idaho Nurses Assoc./Nurse Leaders; Sara Stover, DFM; Jim Baugh, DRI

**Chairman Wood** called the meeting to order at 8:30 a.m.

**MOTION:** **Vice Chairman Packer** made a motion to approve the minutes of the March 6, 2018, meeting. **Motion carried by voice vote.**

**S 1321:** **Sen. Lee Heider**, District 24, presented **S 1321**. This legislation changes the five-year 1,000 hours annual practice requirement to a five-year total practice requirement of 3,500 hours. This allows a dentist to take time away from their practice during any given year within the five-year time frame.

**MOTION:** **Vice Chairman Packer** made a motion to send **S 1321** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Chairman Wood** will sponsor the bill on the floor.

**S 1235:** **Sandy Evans**, Executive Director, Board of Nursing, presented **S 1235**. The Board member academic degree requirement is updated to address the multiple educational pathways now available. This change opens the opportunity for all licensed nurses to participate in the Board.

**MOTION:** **Vice Chairman Packer** made a motion to send **S 1235** to the floor with a **DO PASS** recommendation.

**Michael McGrane**, Nurse, Idaho Nurses Association, Nurse Leaders of Idaho, testified in support of **S 1235**. This will correct Board membership lapses.

For the record, no one else indicated their desire to testify.

**VOTE ON MOTION:** **Motion carried by voice vote. Rep. Wagoner** will sponsor the bill on the floor.

**UNANIMOUS CONSENT REQUEST:** **Chairman Wood** made a unanimous consent request to hear **SCR 140** after the Community NOW! Report. There being no objection, the request was granted.

**Christine Pisani**, Executive Director, Idaho Council on Developmental Disabilities (DD), presented the Community Now! Report - Service and Support Recommendations. People with DD and their families lead the work of Community NOW!.

**Cynthia Yee-Wallace**, Idaho Attorney General's Office, Civil Litigation Division, described the K.W. vs. Armstrong lawsuit, the class action case, and the 91-page court approved settlement agreement. The Department of Health and Welfare (DHW), the DD council, and other partners have formed the Community NOW! program to build a better and collaborative service system.

**Arthur Evans**, Bureau Chief, DD Services, Division of Medicaid, DHW, said the collaboration has a 60-plus member core group. Three work groups (home, community, and work) have held seventeen meetings. A statewide listening tour covered seven DHW regions with 14 stops. Over 2,000 hours have been spent engaging in the Community NOW! process.

There are three recommendation categories: person-centered planning (PCP); meaningful community access and supports; and quality assurance. Each recommendation comes from experiences shared by adults with intellectual / development disabilities (I/DD) and their families. Other issues include financial limitations, guardianship, housing, transport, other Medicaid benefits, and post-secondary education.

The PCP is being developed along with the service array in a continuing collaborative process. A Quality Assurance Committee will provide feedback on the changes. Legislation is expected for the 2019 session for the service array and PCP model.

In closing, **Ms. Pisani** stated the PCP provides the foundation to achieve community connections and remove whole Medicaid dependence by expanding their relationships.

**SCR 140:**

**Rep. Neil Anderson**, District 31, presented **SCR 140** to authorize the DHW and the State Building Authority to finance a new skilled nursing facility at the Idaho State Hospital South (SHS) campus. The current building, built in 1938, houses court-committed patients for long-term care. Because 20% of the residents are veterans, the federal government will participate in the project at a rate 79 cents per dollar. The total cost will be \$35M, including the federal funds.

Answering questions, **Rep. Anderson** said the new building will be one story. 33 rooms are planned with a capacity of 59 patients. The Permanent Building Fund does not have this level of funding available and would preclude federal funds.

**MOTION:**

**Vice Chairman Packer** made a motion to send **SCR 140** to the floor with a **DO PASS** recommendation.

**Sara Stover**, Financial Management Analyst, Health and Human Services, Executive Office of the Governor, testified **in support of SCR 140**. The Governor's Office supports this resolution, although timing issues did not allow its inclusion in the Governor's budget request.

For the record, no one else indicated their desire to testify.

**VOTE ON MOTION:**

**Motion carried by voice vote. Rep. Anderson** will sponsor the bill on the floor.

**ADJOURN:**

There being no further business to come before the committee, the meeting adjourned at 9:17 a.m.

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Representative Wood  
Chair

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Irene Moore  
Secretary

**AMENDED AGENDA #1**  
**HOUSE HEALTH & WELFARE COMMITTEE**  
**8:30 A.M.**  
**Room EW20**  
**Tuesday, March 13, 2018**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
	Idaho's Public Behavioral Health System	Russ Barron, Director, DHW  Ross Edmunds, Division of Behavioral Health  Matt Wimmer, Division of Medicaid  Greg Lewis, Department of Correction  Monty Prow, Department of Juvenile Corrections  Sara Thomas, Idaho Courts  Kelli Brassfield, Idaho Association of Counties  Liza Tupa, Western Interstate Commission for Higher Education

COMMITTEE MEMBERS

Chairman Wood  
Vice Chairman Packer  
Rep Perry  
Rep Vander Woude  
Rep Redman  
Rep Blanksma

Rep Hanks  
Rep Kingsley  
Rep Zollinger  
Rep Wagoner  
Rep Chew  
Rep Rubel

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MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Tuesday, March 13, 2018

**TIME:** 8:30 A.M.

**PLACE:** Room EW20

**MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel

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

**GUESTS:** Monty Prow, Sharon Harrigfeld, Lynn Viner, and Cindy Orr, IDJC; Kelli Brassfield, IAC; Sara Thomas, ISC; Colby Cameron, Sullivan & Reberger; Lee Flinn, Id. Primary Care Assoc.

**Chairman Packer** called the meeting to order at 8:30 a.m.

**MOTION:** **Rep. Redman** made a motion to approve the minutes of the March 8, 2018, meeting. **Motion carried by voice vote.**

**Russ Barron**, Director, Department of Health and Welfare (DHW), began the presentation on Idaho's Public Behavioral Health (BH) System, stating it is a complex issue involving many agencies, government levels, and a lot of funding.

**Ross Edmunds**, Administrator, Division of BH, DHW. The BH program has five areas: adult mental health (MH); children's MH outpatient; substance use disorders (SUD); State Hospital South; and, State Hospital North. There are three client categories: persons needing psychiatric emergency intervention; persons with chronic severe mental illness who cannot live independently; and, persons needing minor intervention with consistent maintenance services.

Adult MH priorities include services for psychiatric emergencies, committed clients, court-ordered clients, MH court participants, and voluntary patients without benefits. A focus on the voluntary patients without benefits would decrease escalation to the other categories.

Hallmarks of the Youth Empowerment Services Program (YES) include cultural shifts, a broadening array of service and supports, intense case management, and coordinated care.

**Matt Wimmer**, Administrator, Division of Medicaid, DHW. The Medicaid client base is largely lower income, which has a higher risk for trauma, toxic stress, and conditions that predispose them to BH conditions and services.

The YES Medicaid contractor, Liberty Healthcare, uses the Child and Adolescent Needs and Strengths (CANS) assessment tool. Implemented in January, respite is now available to families of children with serious emotional disturbances. Beginning in July, skills building educational services based on a CANS assessment will be available statewide.

The intensive outpatient program focusing on BH and SUD began in 2017 and continues to grow, targeting persons between psychotherapy and hospitalization. Billing codes have been implemented to support BH, primary care integration, and MH needs. Homes with Adult Residential Treatment Services (HART) offer individualized treatment plans and services delivered in the home.

**Greg Lewis**, Deputy Chief, Community Corrections, Department of Correction (IDOC) said during the initial diagnostic, new inmates receive SUD and MH evaluations to determine levels of care and services. The four MH classification types range from functionality within the general population to the maximum security population. Of the inmates, 26% are there for drug and alcohol related crimes and 70% have a drug and alcohol problem.

Community Corrections BH services are provided through Federally Qualified Health Centers (FQHC). Initial referrals began in February, 2018, in regions 3 and 4, with all regions to be on line by April 1, 2018.

SUD community services are administered through the IDOC with level-of-care assessed treatment. Up to 240 days of wrap-around drug and supportive services are provided in a treatment episode. The allocated resources are a good investment when compared to incarceration costs. These services help individuals participate in their communities, their families, and be taxpayers.

**Monty Prow**, Quasi Parole Director, Department of Juvenile Corrections (IDJC), said holding juveniles in communities provides better long-term outcomes. IDJC facilities provide evidence-based programs, including family engagement, Think Trauma, suicide prevention, and YES. They also partner with the DHW to fund county detention MH centers. Risk need profiles and service matching groups help identify right bed, right youth, right time.

These efforts have led to a 28% recidivism rate, 15% recommitment rate, and receipt of the 2017 Barbara Allen-Hagen Award.

**Sara Thomas**, Administrative Director, Courts, said there are now 71 Problem-Solving Courts (PSCs) and five court types. The courts are designed as an alternative for offenders with high criminogenic risk and high treatment needs. Eligibility varies by court type and uses a validated tool. PSCs require inter-branch, state, county, and private partnerships. PSC teams include a presiding judge, coordinator, prosecutor, public defender, probation officer, law enforcement officer, and treatment providers. Funding is received from the state, counties, and participant monthly fees.

Improvement efforts include update or development of standards, guidelines, and a quality assurance plan.

**Kelli Brassfield**, Idaho Association of Counties. Whether voluntary or involuntary, this population mainly consists of single, young adult males. The indigent budget covers physical and mental health expenses, non-medical (burial, rent, utility) assistance, and public defense.

They continue work with the BH Cooperative. Data centralization development includes training and collection from the Catastrophic (CAT) Fund. The weighted blanket program, through IDOC, has proven successful and is being expanded to the Pocatello Women's Correctional Center.

**Liza Tupa**, Western Interstate Commission for Higher Education (WICHE). Seventeen western states and territories have formed this compact dedicated to improving BH systems through technical assistance, education, consulting, and research. There has been progress addressing the recommendations in the 2008 WICHE Report. The new WICHE review provides additional specific recommendations.

A statewide public awareness and stigma reduction campaign is needed with targeted MH first aid. Screenings need expansion for substance use, depression, anxiety, and suicide. Treatment/case identification needs additional triggers and avenues for early identification and assessment. The First Episode Psychosis (FEP) programs need statewide expansion.



Also needed are expansion of ACT services with rural modifications, case management services, peer navigation services, and outpatient services to prevent crisis and hospitalization. Residential care options need to be created, including the elderly and individuals transitioning from inpatient treatment.

Continued work is needed with Medicaid and Optum to increase crisis services for Medicaid enrolled individuals. Funding is needed for transportation services to expand mobile crisis assistance, especially in rural areas.

Support is needed for employment and volunteer programs for individuals in recovery. Review and expansion is needed for the recovery and aftercare services to identify the best outcomes. Provision is needed for housing and treatment options.

Additional expansions include the BH workforce and jail diversion programs.

**ADJOURN:**

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

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Representative Packer  
Chair

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Irene Moore  
Secretary

AGENDA  
**HOUSE HEALTH & WELFARE COMMITTEE**  
9:00 A.M.  
Room EW20  
Thursday, March 15, 2018

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
	Tribal Dental Program	Tyrel Stevenson, Coeur d'Alene Tribe
	Adult Audiology Project	Tammy Emerson, Idaho Speech and Hearing Association

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Wood	Rep Hanks
Vice Chairman Packer	Rep Kingsley
Rep Perry	Rep Zollinger
Rep Vander Woude	Rep Wagoner
Rep Redman	Rep Chew
Rep Blanksma	Rep Rubel

COMMITTEE SECRETARY

Irene Moore  
Room: EW14  
Phone: 332-1138  
email: [hhel@house.idaho.gov](mailto:hhel@house.idaho.gov)

MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Thursday, March 15, 2018

**TIME:** 9:00 A.M.

**PLACE:** Room EW20

**MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel

**ABSENT/  
EXCUSED:** Representative(s) Blanksma, Vander Woude

**GUESTS:** Elizabeth Criner and Linda Swanstrom, ISDA; Tiffany Kinzler, DHW-Medicaid

**Chairman Wood** called the meeting to order at 9:02 a.m.

**MOTION:** **Rep. Redman** made a motion to approve the minutes of the March 13, 2018, meeting. **Motion carried by voice vote.**

**Tyrel Stevenson**, Legislative Director, Coeur d'Alene Tribe, presented information on Dental Health Aide Therapy (DHAT). Marimn Health, the tribe's medical clinic, provides a variety of services for native and non-native patients, in partnership with the City of Plummer.

The Community Health Aid Program (CHAP) began in Alaska, trains persons in rural communities, and allies them with supervising dentists, doctors, and mental health professionals to provide services. The CHAP dental therapist has a scope of practice limit of fifty procedures. The community participates in CHAP recipient selection, funding, and support. This is a federal program with oversight by the Community Health Aid Certification Board.

The 2010 Indian Health Care Improvement Reauthorization Act, an ACA rider, stipulates the tribes outside of Alaska must have state authorization to take advantage of the DHAT Program and receive Medicaid and Indian Health reimbursement.

One Coeur d'Alene tribal member is currently in the Alaska training program and expected to graduate in one year. Answering a question, **Mr. Stevenson** said the training is a 24-month condensed program and does not require a bachelors degree.

**Christina Peters**, NW Portland Area Indian Health Board, further answered, any student who has not met the initial program entry requirements is offered a summer catch-up program.

**Tammy Emerson**, Idaho Speech and Hearing Association (ISHA), presented information on the Adult Audiology Project. In 2011, **H 260** discontinued Medicaid funding for adult audiology rehabilitative services. Future legislation is being developed to return this benefit.

**April Ward**, Audiologist, Director, Elks Hearing and Balance Center, ISHA, further discussed the reinstatement and the impact on patients no longer able to afford continuing care.

The long-term Medicaid, economic, and health impact of untreated hearing loss includes dementia, brain volume changes, cognitive decline, falls, depression, social isolation, and lower incomes. These are quality of life issues.

Incomes are affected when behaviors are misinterpreted and an individual is unable to advance or loses a job. With treatment, the resulting increased income is estimated to more than cover the Medicaid benefit cost.

**Ms. Emerson** said a child receiving implants at six months of age never needs speech therapy. When the children age out and are then without services, their quality of life changes dramatically.

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

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Representative Wood  
Chair

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Irene Moore  
Secretary

AGENDA  
**HOUSE HEALTH & WELFARE COMMITTEE**  
9:30 A.M.  
Room EW20  
Monday, March 19, 2018

SUBJECT	DESCRIPTION	PRESENTER
<a href="#">H 562aaS</a>	Public Health Districts - Senate Amendment	Rep. Megan Blanksma

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Wood  
Vice Chairman Packer  
Rep Perry  
Rep Vander Woude  
Rep Redman  
Rep Blanksma

Rep Hanks  
Rep Kingsley  
Rep Zollinger  
Rep Wagoner  
Rep Chew  
Rep Rubel

COMMITTEE SECRETARY

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MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Monday, March 19, 2018  
**TIME:** 9:30 A.M.  
**PLACE:** Room EW20  
**MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Perry, Vander Woude, Redman, Blanksma, Hanks, Kingsley, Zollinger, Wagoner, Chew, Rubel  
**ABSENT/  
EXCUSED:** None  
**GUESTS:** None  
**Vice Chairman Packer** called the meeting to order at 9:30 a.m.  
**MOTION:** **Rep. Redman** made a motion to approve the minutes of the March 15, 2018, meeting. **Motion carried by voice vote.**  
**H 562aaS:** **Rep. Megan Blanksma** District 23, presented **H 562aaS**. The amendments change the formula fix length of time from three years to two years.  
**MOTION:** **Rep. Rubel** made a motion to concur with the amendments made in the Senate to **H 562aaS**. **Motion carried by voice vote.** **Rep. Blanksma** will sponsor the bill on the floor.  
**MOTION:** **Rep. Perry** made a motion to reconsider **H 464** and send it to the Second Reading Calendar.  
**SUBSTITUTE MOTION:** **Rep. Vander Woude** made a substitute motion to **HOLD H 464** in committee.  
During discussion, **Chairman Wood** stated the vote to reconsider is not a procedural motion.  
**ROLL CALL VOTE:** Roll call vote was requested. **Substitute motion failed by a vote of 5 AYE and 7 NAY. Voting in favor** of the substitute motion: **Reps. Vander Woude, Blanksma, Hanks, Kingsley, Zollinger. Voting in opposition** to the substitute motion: **Reps. Wood, Packer, Perry, Redman, Wagoner, Chew, Rubel.**  
**ROLL CALL VOTE:** **Rep. Perry** requested a roll call vote. **Original motion carried by a vote of 7 AYE and 5 NAY. Voting in favor** of the original motion: **Reps. Wood, Packer, Perry, Redman, Wagoner, Chew, Rubel. Voting in opposition** to the original motion: **Reps. Vander Woude, Blanksma, Hanks, Kingsley, Zollinger.** **Rep. Perry** will sponsor the bill on the floor.  
**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 9:59 a.m.

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Representative Packer  
Chair

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Irene Moore  
Secretary