

Minutes of the Joint Legislative Oversight Committee

March 11, 2020

Room EW42, Capitol, Boise, Idaho



Cochair Representative Ilana Rubel called the meeting to order at 3:03 p.m. Attending the meeting were Senators Mark Harris (cochair), Dan Johnson, Michelle Stennett, Cherie Buckner-Webb, Representatives Caroline Nilsson Troy, Paul Amador, and Elaine Smith. Rakesh Mohan, director, Margaret Campbell, administrative coordinator, and other staff from the Office of Performance Evaluations (OPE) attended. Audience members included the following:

Senators Brackett, Guthrie, Patrick, Souza, and Jordan
Representatives Youngblood, Berch, and Vander Woude
Director Dave Jeppesen, Department of Health and Welfare

Approval of minutes from February 20, 2020

Representative Troy moved to approve the minutes from February 20, 2020. Senator Harris seconded the motion, and it passed by voice vote.

Presentation of proposals

Cochair Rubel asked Rakesh to speak to the proposals. Rakesh reviewed a list of nine proposals. He said all spoke to big issues facing the state. They were big studies and, unfortunately, too much for the office to do all of them. He referred the committee to a handout that outlined criteria for determining which topics would make the best evaluations. He asked the committee to keep these criteria in mind when selecting evaluations.

Long-term planning for postsecondary education

Cochair Rubel called on Senator Brackett to speak to his proposal. Senator Brackett said his proposal was to take a comprehensive look at funding in higher education. The state was spending millions of dollars educating its youth with a variety of programs and declining resources. The proposal had two parts. The first centered on an in-depth analysis of policy. The second part looked at funding with overall goals of (1) baseline information to establish criteria for measuring progress, (2) defined strategies for moving forward, and (3) funding that aligned with objectives. Senator Brackett said the proposal covered a lot of information and would realistically take more than one year to complete.

Senator Brackett yielded to Representative Troy, a cosponsor of the proposal. Representative Troy said the importance of the proposal was underlined in how the budget bill for higher education failed on the House floor amid questions from legislators. She said the state was investing in programs such as opportunity scholarships and dual enrollment credits. A lot of money was being given to students to go on, but the state did not track who went on to understand the success rate of the programs. The Legislature needed to know what was working, what was not, what was the right way to fund education, and what it should expect for its investment.

Representative Amador said the Governor had a working group on higher education funding that expected to have recommendations by June or July. If JLOC were to approve this proposal,

would OPE hold off starting the evaluation until the Governor had made recommendations? Representative Rubel added that the Legislature had a working group on higher education. How would an evaluation layer onto the two existing workgroups? Representative Troy said that she firmly believed sound solutions were based on good data. Until the Legislature had good data, it could not find good solutions. Regardless of the group or recommendations, the state needed answers to questions and understand the success rate of dual enrollment credits. If higher education was moving from enrollment workload adjustment measurements to outcome based with six-year graduation rates, the state needed to make sure its investments moved students to a six-year graduation rate or to a degree, whether that be a certificate, apprenticeship, or other postsecondary education.

Systematic review of tax breaks

Cochair Rubel called on Representatives Youngblood and Berch to speak to their proposal. Representative Youngblood said that as cochair of appropriations, this concern needed to be looked at. Tax exemptions had exceeded \$2.4 billion. The Legislature needed a systematic data reviewing process to see which exemptions were effective, which should have sunset clauses, and which should be ongoing. Representative Berch said underlining fiscal policies drive decisions. The Legislature needed a thorough, complete analysis and understanding of the benefits of past actions to guide future decisions. This type of analysis was essential in helping the Legislature.

Representative Troy asked Rakesh whether OPE had released an evaluation in 2013 that this proposal could built upon. Rakesh said OPE had provided a list of criteria for policymakers to use when granting exemptions. Although staff had background knowledge of this topic, the proposal was a much bigger scope and would be a new evaluation instead of an add-on. Senator Stennett said the proposal reported statistics in dollars, but did the requesters know how many exemptions? Representative Berch said part of what he was requesting was an analysis of all the different tax exemptions. He had seen a list but did not know their effectiveness, age, or when they were last looked at.

Criteria for cold water temperatures

Cochair Rubel called on Representative Vander Woude to speak to his proposal. Representative Vander Woude said the EPA had established standards for cold water temperatures to be 72 degrees maximum with a daily average of 66 degrees. The daily maximum for salmonidae spawning was 55 degrees with a daily average of 48 degrees. He said an estimated 21 percent of Idaho's waterways, streams, and rivers were not meeting that criteria.

Idaho's water temperatures were driven by air temperatures and solar radiation. Yet, default criteria were assigned to many rivers and streams regardless of their actual conditions. DEQ's website indicates that many waters likely have temperatures naturally warmer than the set criteria. Many of Idaho's rivers and streams that do not meet cold water criteria have healthy fish populations, which suggested that criteria were unnecessarily restrictive.

Many communities will soon be expected to cool their discharge to meet these criteria. The City of Boise estimates costs of \$60 million to cool water before dumping into the river.

Representative Vander Woude said he was asking for a study of water temperatures across the state. He had letters of support from the Association of Idaho Cities and the cities of Boise, Meridian, and Nampa. The proposal had been signed by the ProTem, Speaker, members of both

resource committees, and the chair of the environment committee. He said he was seeking alternatives that could be more effective than current standards.

Representative Amador asked why Vander Woude wanted OPE to do the study rather than the Department of Environmental Quality or the University of Idaho. Representative Van Woude said OPE had solicited for requests and the other entities had not.

Representative Troy asked where information about Idaho's average water temperatures came from. Representative Vander Woude said he did not know, but OPE had done a study on water issues before and could build on that experience.

Medicaid reimbursement rates for home health care services

Cochair Rubel called on Senator Stennett to speak to Senator Jordan's proposal. Senator Stennett said that Senator Jordan had been called to a Health and Welfare meeting. She said the proposal was for an analysis of Medicaid reimbursement rates of home health care services as opposed to nursing homes and the type of care that the state's Medicaid budget would require.

The combination of not having enough staff, not having competition for skilled staff, and low Medicaid reimbursement rates had become a problem for facilities and in-home care. Given estimates of how many caregivers were out there and the difficulties and costs incurred for individuals to be in assisted living or skilled facilities, keeping those individuals in their homes was a preferable option. The proposal asked for an analysis of the difference in costs and for recommendations to better provide for in-home care.

Representative Rubel said the proposal was narrow and specific. She asked Rakesh whether selecting this proposal would give the office capacity to take more proposals. Rakesh said the topic would be a narrow scope; however, he encouraged members to prioritize topics based on need and appropriateness. After prioritization, he could discuss the scopes of potential evaluations.

Block system of K-12 education

Cochair Rubel called on Senator Patrick to speak to his proposal. Senator Patrick said a 7-block system was an idea that he had thought about for several years. Schools could go on a 7-block system, and students could attend 4 or more blocks and skip inconsecutive blocks. Teachers could teach 6 blocks. The goal would be to use facilities throughout the year and increase teacher hours from 900 to 1,450, which meant teachers would receive more pay for the increased hours. The system would move more kids through the schools and would help alleviate waiting lists at charter schools.

An evaluation could report if anyone nationally was using a 7-block system. He said there should be a way to use school facilities more, pay teachers more, and change curriculum accordingly. He would like to know how this block system would help learning losses through the summers, and how it would affect sports. He said his proposal was broad and more complicated than what he could do, and he was requesting help.

Representative Amador said he assumed this block system had been done elsewhere with research available on its effectiveness. Although not the same kind of block system, instances of year-round systems showed less summer slide. Was information readily available through academic research? Senator Patrick said he was not aware of any research. He wanted to know if someone was doing it; that was part of the proposal. The advantage of this block system was

students could take extra blocks and graduate early. It could fit the needs of students better than year-round school.

Representative Amador clarified that the 7-block system was a creative solution by Senator Patrick to benefit Idaho. Senator Patrick said yes, he had talked about it with his cosponsors for 4-5 years. Idaho could put something together as a pilot, but he needed outside help with research.

Driver verification cards

Cochair Rubel called on Senator Guthrie to speak to his proposal. Senator Guthrie said he was proposing a study of driving verification cards, or driving privilege cards, for undocumented immigrants. The proposal had 14 signatures gathered in the spirit of supporting a study, not supporting or opposing legislation.

The economy depended on its labor force, and the labor force depended on immigrant labor. Many foreigner-born workers were employed in sectors such as agriculture, construction, food service, hotel lodging, and cleaning industries. They traveled road systems. He said roads would be safer with assurances that others had road competency skills, were legally driving, and had auto insurance.

Senator Guthrie said a driving verification card would not be a driver's license. Required testing would be similar to testing for a class D license. The card would be clearly identified and be for those 18 and older. A driving verification card would not be used for voting, alcohol, or firearm purchases. He said Utah's driving verification program had been going for 15 years. Utah had issued 42,000 cards, about 74 percent of its foreign population. Fifteen states had something similar. Good data should be available about how this demographic interfaced with law enforcement, the court system, and how they impacted the labor force. An evaluation would help identify benefits for Idaho.

Senator Harris said he thought this was a good proposal, not just for safety and insurance but for the population. He said he had heard stories about law enforcement not knowing what to do when they pulled someone over with a foreign license. Senator Guthrie said hit and run accidents have gone down in states with this program, as well as alcohol related incidences. The issue was politically charged, but he wanted to look at creating safety on the road, more opportunity for insurance, and address an important component of the state's workforce.

Senator Johnson said he thought this was an important issue, and it hit all eight guidelines for topic selection, in particular number 7, evidence of deficiency. Representative Troy said she had problems in her district that might be a nexus with this proposal. For foreign students who got a driver's license, sometimes their name was different on their license than their passport because their name had a high number of characters and did not fit on the card. She had also heard from police that if an international license was revoked, the foreigner would change their name and get a state license, or vice versa. She wondered if these concerns could be part of the evaluation.

In looking at the list of desired information, Senator Johnson suggested engaging the Mexican consulate to understand needs and answer questions. Senator Guthrie said that was the magic of OPE—using its resources to make connections that had potential for relationship building.

Behavioral health system

Cochair Rubel called on Senator Souza to speak to her proposal. Senator Souza said her proposal was a companion to SCR126. The resolution established a 13-member behavioral health council,

with collaboration from the Department of Health and Welfare, the Legislature, the Governor's Office, and the Judiciary. Behavioral issues in the state were growing at an escalating rate. Idaho was now fifth in nation for suicide. Under this proposal, OPE would be an independent partner in the review of existing systems and how to breakdown silos that caused efforts to be less effective. She listed questions she would like addressed: (1) What are the indicators of a strong behavioral health system? (2) How should Idaho measure success? (3) What data were needed to answer the questions? (4) What mechanisms needed to be in place? With OPE's help, the council could use this information to be most effective in using various dollars to make the biggest difference.

Cochair Rubel called on Rakesh for comments. Rakesh said he had talked with legislators to sign this proposal. He had noticed in his government and nonprofit work that behavioral health issues were being addressed in a fragmented way, albeit with good intent. He knew about these issues because he served on the board of Jannus, which administered the suicide prevention hotline. Also, his wife had dealt with these issues for 25 years. He said he was lucky to have a good job that helped him care for her and insurance to pay the medical bills. When he went to appointments with her, he judged that 90 percent of the patients were not as privileged, and he questioned how they dealt with this issue day to day. He said an evaluation would look at a systems prospective and could provide data to the council.

Practice expansions for licensed healthcare professionals

Cochair Rubel called on Senator Souza to speak to her proposal. Senator Souza said that every year Health and Welfare committees see an industry-related fight over licensure or scope of practice where one profession promotes their side of an issue that intrudes on another profession. These disagreements have been personal and very strong. Legislators did not feel they were in the best position to make decisions about practice.

This year a disagreement came to a head and Senator Heider said it best. He indicated that one side of the audience was one industry-related profession and the other side was another industry-related profession. He said, "You are professionals. And you are asking us, who know almost nothing about your profession, to make the decision." Senator Souza said an evaluation could tell the Legislature what methodology to use when dealing with warring industry fights. The issue was pervasive on both sides of the rotunda.

Agency support for Alzheimer's patients

Cochair Rubel called on Senator Harris to speak to his proposal. Senator Harris said Idaho had more than 26,000 individuals with Alzheimer's disease, and that number was projected to increase to more than 33,000 by 2025. Medicaid costs to treat Alzheimer's was expected to be about \$144 million this year and increase 34 percent by 2025. Numerous agencies administer Alzheimer's programs but separately from each other. This lack of coordination hindered efforts and made the strategic plan for Alzheimer's difficult to track. He was requesting that OPE study agency coordination efforts, identify gaps and needs within state agencies, and report progress of the Idaho State Alzheimer's plan endorsed by the Legislature in 2013.

Senator Stennett commented that the Idaho State Alzheimer's group received a \$15,000 grant to educate the public and guide individuals to assistance and diagnosis. This money was funded by the federal government but had since been discontinued. When the Joint Finance-Appropriations Committee (JFAC) was asked to fund the vacated grant, she was told that JFAC did not typically fund nonprofit activities. An evaluation would help to understand how to

navigate for resources and the processes for obtaining those resources. Idaho had a disconnect about how individuals could use existing services or where they could look.

Selection of topics

Cochair Rubel directed the committee to pull out their ballots and use the guidelines when selecting proposals. She instructed the members to check four proposals on their ballots and hand the ballots to Margaret for tallying. After the tally, the committee could decide how to move forward.

After ballots were tallied, the four topics with the highest support were driver verification cards, systematic review of tax breaks, agency support for Alzheimer's patients, and long-term planning for postsecondary education. Cochair Rubel invited Rakesh to discuss the topics and identify the number of topics the office could take. Rakesh said long-term planning for postsecondary and systematic review of tax breaks were big studies. Senator Brackett had already approved releasing multiple reports over two years. Rakesh would talk to Representative Youngblood about doing the same. Driver verification cards was a small evaluation, and Alzheimer's was a big evaluation. His office could take all four.

Senator Stennett commented that when looking at subsidies and tax breaks, the office would have to go to the Tax Commission and other locations. She said she expected the process to take more than one year to do a thorough analysis.

Representative Troy moved to conduct an evaluation of driver verification cards, systematic review of tax breaks, agency support for Alzheimer's patients, and long-term planning for postsecondary education. Senator Buckner-Webb seconded the motion, and it passed by voice vote.

Other committee business

Rakesh said the office was working on three reports: county revenues, retirement, and child neglect. He hoped to release some of them before session was over.

The meeting adjourned at 4:05 p.m.

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Idaho State Legislature
700 West Jefferson Street
Boise, Idaho 83720

February 28, 2020

Joint Legislative Oversight Committee
Idaho State Capitol
700 W. Jefferson St.
Boise, Idaho 83702

Re: Request for Evaluation Idaho Cold Water Temperature Criteria

Dear Committee:

The Clean Water Act requires Idaho to implement water quality standards that protect aquatic life in Idaho waters. Due to Idaho's semi-arid desert climate, establishing, administering and attaining water temperature criteria to protect cold water aquatic species poses significant challenges for the Idaho Department of Environmental Quality (DEQ) and Idaho communities.

We request that the Joint Legislative Oversight Committee (JLOC) direct the Idaho Office of Performance Evaluation (OPE) to conduct a study to: (1) evaluate the challenges associated with establishing, administering and attaining cold water temperature criteria, and (2) identify regulatory and non-regulatory alternatives available to DEQ and Idaho communities to address such challenges.

Without alternative approaches or modified criteria, many Idaho communities may be required to implement extraordinarily expensive, high energy consumption water-cooling technologies that will likely produce little environmental benefit. This is inconsistent with our emphasis on reducing the regulatory burden on Idahoans.

OPE has experience evaluating water quality issues. In 2014, OPE prepared a study of "Challenges and Approaches to Meeting Water Quality Standards", which evaluated the use attainability analysis procedure for revising unattainable water quality standards. In 2016, OPE prepared a follow-up report. Despite OPE's evaluation and recommendations, it is our understanding that unattainable water quality standards have rarely been revised.

We are requesting this study because of the unique scientific, economic, regulatory and compliance challenges associated with water temperature criteria.

Thank you for your consideration.

Representative Scott Bedke
Speaker of the House

Senator Brent Hill
President Pro Tem of the Senate



Representative John Vander Woude
Chairman, House Environment, Energy & Technology Committee



Representative Marc Gibbs
Chairman, House Resources & Conservation Committee



Senator Lee Heider
Chairman, Senate Resources & Environment Committee



Senator Steve Bair
Chairman, Senate Finance Committee



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March 6, 2020

Joint Legislative Oversight Committee
Idaho State Capitol
700 W. Jefferson St.
Boise, Idaho 83702

RE: Request for Evaluation of Idaho Cold Water Temperature Criteria

Dear Committee:

The Association of Idaho Cities (AIC) serves to advance the interests of Idaho cities through legislative advocacy, technical assistance, training, and research. Idaho cities play many important roles as the primary implementers of the Clean Water Act and have significant interests in the development of criteria, rules, and guidance related to the management and protection of Idaho's waters.

AIC would like to add our support for the Joint Legislative Oversight Committee (JLOC) to direct the Idaho Office of Performance Evaluation (OPE) for a study to evaluate the Idaho cold water temperature criteria.

Should you have questions concerning our support, please feel free to contact me.

Sincerely,

Mayor Suzanne Hawkins,
City of Twin Falls
AIC President

cc: Mayor John Evans, AIC Legislative Committee Chair
Representative Scott Bedke, Speaker of the House
Senator Brent Hill, President Pro Tem of the Senate
Representative John Vander Woude, Chairman, House Environment, Energy & Technology Committee
Representative Marc Gibbs, Chairman, House Resource & Conservation Committee
Senator Lee Heider, Chairman, Senate Resources & Environment Committee
Senator Steve Bair, Chairman, Senate Finance Committee
Johanna Bell, AIC Policy Analysis, Environment
Benn Brocksome, AIC Lobbyist

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Idaho State Senate

SENATOR MARYANNE JORDAN
MINORITY CAUCUS CHAIR

To: Senator Mark Harris, Representative Ilana Rubel

From: Senator Maryanne Jordan

Re: Request for OPE Study

Dear Senator Harris and Representative Rubel,

Thank you for the opportunity to submit a request for an OPE study. I am specifically interested in analyzing the relationship between Medicaid reimbursement rates for home health care services and the cost of nursing home care to the state's Medicaid budget.

The home health care industry provides services that support patients' ability to age in their own homes. Such services include bathing, dressing, toileting, basic housekeeping, laundry, shopping, meal preparation and other basic needs.

There is currently a severe lack of access in this industry as many patients who qualify for these services under Medicaid are being turned away. This is driven in part by stiff competition for qualified employees in a thriving economy. The low Medicaid reimbursement rates add to this problem.

Because of the lack of access to these services, patients who could remain in their homes with assistance are being sent to assisted living or skilled nursing facilities. This is a much more expensive way of delivering these services.

The Idaho Caregiver Alliance and Boise State Center for the Study of Aging estimate that 40% of the Medicaid budget is allotted to nursing homes, intermediate care facilities and psychiatric in-patient facilities.

In light of the above information, a request is made that OPE studies the impact of the lack of access to home health care and how it may or may not increase the cost to the State as a result of increased assisted living and skilled nursing placements.

Sincerely,

A handwritten signature in blue ink that reads "Maryanne Jordan".

Maryanne Jordan

Senator District 17

Jim L. Patrick

District 25
Jerome & Twin Falls Counties

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STATEHOUSE (208) 332-1000
(session Only)



Idaho State Senate

State Capitol
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COMMITTEES

Chairman - Commerce & Human
Resources

Agricultural Affairs

Resources & Environment

March 6, 2020

**Joint Legislative Oversight Committee
Idaho State Legislature**

Dear Members of the Joint Legislative Oversight Committee:

Idaho is ranked one of the fastest growing states in the nation. With rapid population growth comes an increased pressure on Idaho schools. The Idaho Legislature is determined to find new ways of instructing students to provide solutions to overcrowded schools, low teacher pay and the “summer slump” leading to learning loss.

According to a 2019 report by KIVI Boise, over 80% of Ada high schools are overcrowded, 67% of Ada middle schools are at capacity, and 28% of Ada elementary schools are at capacity. This seriously affects classroom learning and teaching performance. Additionally, Idaho currently has a teacher shortage due to a high turnover rate and low pay—with turnover rates topping 20% in recent years.

The purpose of this study is to clearly understand the effects of a seven block system on Idaho’s students, teachers and infrastructure. The block school system proposed is a way of dividing the school year into seven sections to attempt to prevent learning loss, increase teacher salary, and to give Idaho students more flexibility. In this plan there are seven blocks, each of which is approximately seven weeks long. Students would be required to attend a minimum of four out of every seven blocks. One block is reserved for school renovations, vacations and teacher training—students do not attend this block. The schedule can be flexible because students can fast track themselves to graduating early if they attend more than four blocks. Another benefit for students would be the ability to participate in sports, internships, apprenticeships or other specialized training they wouldn’t have time for traditionally. This system would allow districts the ability to hire and retain qualified teachers by increasing teacher pay by as much as 50%, and will also attempt to solve teacher shortage, waiting lists, and overcrowded schools.

Specifically, it is requested that the Office of Performance evaluation review the following:

1. Cost-benefit comparison of a block system vs. traditional delivery system
2. Learning loss comparison to a traditional summer break
3. Attendance comparison to a traditional system
4. Teacher Salary - district averages, school type (public, public charter etc.)
5. Presentation of curriculum changes
6. Use of facilities

Some information regarding the report can be researched through institutions currently on a variation of the proposed block system:

- BYU-Idaho three-track system
- La Canada Unified School District (California) four-track system
- Sycamore Elementary School (Michigan) single-track
- The Corinth School District (Mississippi)

This research is a step in the right direction for legislators to make informed policy decisions to help identify new ways of instructing students.

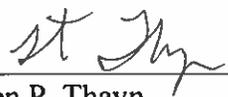
Sincerely,



Jim L. Patrick



Dean M. Mortimer



Steven P. Thayn

Jim Guthrie

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STATEHOUSE (208) 332-1000
(session Only)



Idaho State Senate
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COMMITTEES

Chairman - Agricultural Affairs
Commerce & Human Resources
Resources & Environment

March 5, 2020

Joint Legislative Oversight Committee
Idaho State Capitol
700 W. Jefferson St.
Boise, Idaho 83702

ATTN: Rakesh Mohan, Director
via Email: rmohan@ope.idaho.gov
and via Hand Delivery

RE: Request for Evaluation
Driver Verification Cards

Dear Co-Chairs Harris and Rubel, and Members of the Committee:

Motorized transportation of people and products is an essential part of Idaho's economy and way-of-life. Driver education, driver skills verification and mandatory vehicle insurance are ways that we enhance the safety of our public highways. A licensing program for driver's also helps law enforcement as they patrol the highways and interact with people. Increasingly in Idaho, as in the rest of the Nation, we are faced with a significant population of residents not authorized to live or work in the United States. Yet, these people undoubtedly travel and move about on Idaho's highways and in our communities.

As part of the Legislature's responsibility to promote the public health and safety of all Idaho residents, we are interested in learning more about the significance of this issue, and the extent to which adopting a driver authorization program for undocumented residents would promote public health and safety. We believe data from other states may aid and assist in this endeavor to inform the Legislature as it crafts public policy. Fifteen states and the District of Columbia have adopted a system to authorize undocumented residents to operate a vehicle. We appreciate the opportunity to request a study to be done by the Office of Performance Evaluation regarding the issue of "**Driving Verification Cards**". In support of this request we offer the following remarks.

State the Problem. Under present Idaho law, an undocumented resident cannot obtain a driver's license, own or register a motor vehicle, or get the vehicle insured. This creates a problem inasmuch as Federal immigration law and policy, and poor enforcement thereof, has allowed for the influx of undocumented residents into Idaho and, for that matter, the United States generally. As Congress remains unable or unwilling to enact meaningful Federal immigration reform, we cannot deny that

undocumented residents are assimilating into our communities, undertaking work, raising families, engaging in commerce, and driving on our roads. Undocumented residents are a critical part of the workforce in Idaho. However, their undeniable use of our highways is occurring without competency testing, legal authorization, and presumably without driver or vehicle insurance. This creates significant risks to the public health and safety of Idaho's lawful residents. Because Idaho has no authority to enforce Federal immigration law, we must look to other creative solutions to promote the safety of Idaho's roads.

Describe the Magnitude of the Problem. It is difficult to obtain accurate data on the undocumented resident population, for obvious reasons. A study by the Migration Policy Institute suggests Idaho has 30,000 undocumented residents, of which 27,000 are over the age of 18 and all but 2,000 of those adults are employed. These individuals tend to be employed in agriculture, followed by service industries (e.g., hospitality, construction, food and beverage) and then manufacturing (e.g., food processing). This means we may have as much as 25,000 individuals commuting to work each day without driver education, skills testing, legal authorization or insurance. Those not working, we can expect, are still traveling as part of their family life and to engage in commerce. We believe currently available data presents a conservative number of undocumented residents in Idaho, and we expect through in-depth study and upcoming Census data the numbers may be much higher, making the problem of even greater concern.

Desired Information. We believe a detailed, and in-depth, OPE study can inform the Legislature and educate legislators as they engage in making important public policy for highway safety on the following topics. With so many other jurisdictions having a driver authorization system for undocumented residents, there should be a trove of data from which to draw.

1. The size of Idaho undocumented resident community, and the impact of that community on Idaho's labor force, GDP and expenditure of public funds.
2. Expected participation in an Idaho Driver Verification Card for undocumented residents.
3. Expected road safety impacts of an Idaho Driver Verification Card for undocumented residents (e.g., hit-and-run accidents, total road accidents, eluding officers, driver identification or identity fraud or license fraud, driving infractions, alcohol offenses).
4. Expected insurance impacts of an Idaho Driver Verification Card for undocumented residents (e.g., number of uninsured drivers, insurance rates or costs, compensable accidents and injuries, use of indigent funds or Medicaid for auto accident injuries).
5. Expected costs of administration and potential state revenue from an Idaho Driver Verification Card for undocumented residents.
6. Expected impacts on the criminal justice system of an Idaho Driver Verification Card for undocumented residents (e.g., prosecutor and public defender time, jail processing, housing and costs, court time and resources).
7. More generally, we are interested in the experiences of other jurisdictions. Any data on hurdles they encountered as they adopted driver authorization programs and how they were able to mitigate concerns. In the spirit of fairness, we want to know what the downfalls might be or if any states have had buyer's remorse.

Anticipated Use of the OPE Report. The requested OPE report would be used to educate and inform Idaho's policymakers at the State, county and city levels, and for their anticipated use in development of legislation. Ultimately, and depending upon the information developed by OPE, the intent would be to place in Code an opportunity for Idaho to issue "Driving Verification Cards" to help

mitigate the previously mentioned challenges. Short of that, the above would be extremely valuable information to base other policy decision-making on relative to any immigration reform efforts that could be forthcoming. In addition, the information could help all sectors of society from the law enforcement community, to business and industry, to our citizens.

Conclusion. We believe this is an issue that is long overdue to be addressed. The reality is that we have thousands of undocumented residents in Idaho and, as such, we have a road safety and compromised workforce issue. Experience shows that the detail provided in studies done by OPE is invaluable and beyond the scope of what we, as part-time legislators, can accomplish. We would respectfully ask that you give our request your most diligent consideration and would look forward to assisting in any way we can if our request is approved and a study is conducted.

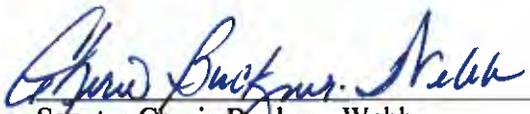
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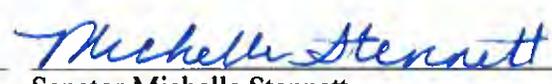
Senator Jim Guthrie
Chair, Senate Agricultural Affairs Comm



Senator Lee Heider
Chair, Senate Resources & Enviro. Comm.



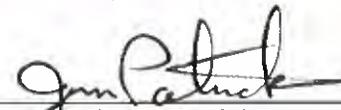
Senator Cherie Buckner-Webb
Senate Asst. Minority Leader



Senator Michelle Stennett
Senate Majority Leader



Senator Mark Harris
Vice Chair, Senate State Affairs Comm.



Senator Jim L. Patrick
Chair, Senate Commerce & Human Resources Comm.



Senator Grant Burgoyne



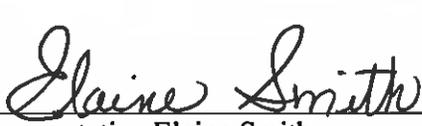
Representative Lance W. Clow
Chair, House Education Comm.



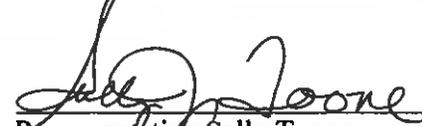
Representative Clark Kauffman



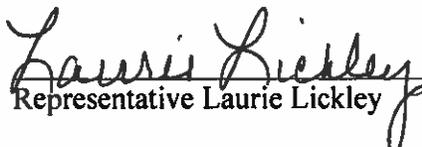
Representative Kevin Andrus



Representative Elaine Smith



Representative Sally Toone



Representative Laurie Lickley



Representative Jerald Raymond



House of Representatives State of Idaho

March 9, 2020

Mr. Rakesh Mohan
Office of Performance Evaluations
954 W. Jefferson Street, Suite 202
Boise, ID 83702

Dear Rakesh:

Problem: Tax breaks are not systematically reviewed

Idaho's tax system relies on three primary sources: income taxes, property taxes, and sales taxes. The Idaho Legislature decides who and what can be taxed. Tax breaks (sales tax exemptions, new business tax incentives, personal property tax exemptions, etc.) are established with some legislative intent in mind, but the Legislature lacks a process to regularly review and evaluate tax breaks as economic realities change. The problem is exacerbated by the lack of any objective evaluative criteria to assess the net long-term benefit of a tax break, and the absence of any timeframe within which the tax break will be reviewed or be subject to sunset. In short, most tax breaks (especially sales tax exemptions and exceptions) continue in perpetuity.

Magnitude of the problem:

The financial consequences of tax breaks that don't successfully advance the state's interest are a shift in taxes to the average citizen and the underfunding of necessary programs. Idahoans have experienced property tax increases due to continuous school bonds and levies, periodic increases in the gas tax, sustaining the grocery tax, increasing college tuitions, and the imposition of new and increasing fees. Sales tax exemptions and exceptions reached \$2.48 billion in FY'19, which is larger than the entire FY'19 sales tax growth. This is up from \$1.5 billion in FY'05, totaling over \$28 billion in the last 15 years. With no consistent review process, evaluative criteria or sunset provisions, the magnitude of the fiscal impact will continue to put pressure on other methods of funding vital state services and responsibilities, including education, transportation, healthcare, prisons, public lands and so on.

Study objectives:

- Identify practices that could be adopted in Idaho to regularly review and evaluate tax breaks in a way that maximizes objectivity. These might include sunset clauses or regularly scheduled legislative committees that review tax breaks. Such reviews should include key stakeholders, including the legislature, industry and economic experts.
- Identify commonly used quantifiable evaluative criteria for determining if a tax break is delivering a net long-term benefit to the state.

Mr. Rakesh Mohan
March 9, 2020
Page 2

- Investigate and report on other impacts, fiscal or otherwise, that the current fiscal policies on tax breaks may have on the state's ability to sustainably meet its constitutional and statutory obligations.

Desired Outcomes and OPE Report Use:

- Create a list of criteria that lawmakers can refer to when evaluating new and existing tax breaks.
- Recommend a sustainable, objective process for reviewing and deciding if a tax break should be retained or eliminated, including the timeframe within which such reviews should occur.
- OPE findings, conclusions and recommendations will be used by the Legislature to determine the degree to which current fiscal policies should be changed to accommodate the growing revenue needs of Idaho.

Sincerely,



Rep. Rick D. Youngblood
Rep. Steve Berch

jm



Idaho State Senate

SENATOR FRED S. MARTIN

March 9, 2020

Senator Mark Harris, Cochair
Representative Ilana Rubel, Cochair
Joint Legislative Oversight Committee

Dear Cochairs:

Suicide is a critical public health issue in Idaho. Idaho experienced its worst rate of suicide deaths in 2018, impacting families and communities in every region of the state.ⁱ While many factors contribute to suicide, untreated behavioral health conditions increase its risk. Nearly half of the people who died by suicide had a known mental health condition, and nearly one-third had a known substance use disorder.ⁱⁱ Idaho has the second worst prevalence of mental health and substance use disorders nationwide.ⁱⁱⁱ

Behavioral health conditions are treatable. Idahoans who receive proper treatment can live productive and fulfilling lives. Inadequate treatment can have negative consequences for individuals and their families. It also has ripple effects in the community, leading to increased costs for Idaho's criminal justice, education, and child welfare systems.

Idaho currently has the fifth highest suicide rate in the nation, and behavioral health care may be part of the solution. In recognition of the need for across silos, system-level recommendations to improve behavioral health outcomes in Idaho, all three branches of Idaho State Government are taking part in the new Idaho Behavioral Health Council. This council will develop action-oriented, time-bound recommendations by October 31, 2020. To support the creation of these recommendations and prepare for future assessments of whether they are achieved or not, we request the following questions to be addressed:

- What are the indicators of a strong behavioral health system?
- How should Idaho measure the success of efforts to improve the system?
- What data does Idaho need to answer these questions?
- What mechanisms need to be in place to collect this information?

This report will complement the Council's goals and timelines, while ensuring appropriate data is available for any future performance evaluations.

Sincerely,



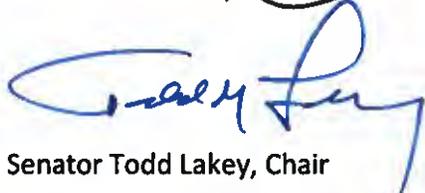
Sen. Fred Martin, Chair
Senate Health and Welfare Committee



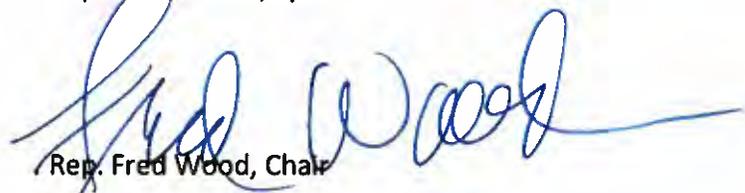
Senator Brent Hill, ProTem



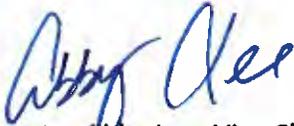
Rep. Scott Bedke, Speaker



Senator Todd Lakey, Chair
Senate Judiciary and Rules Committee



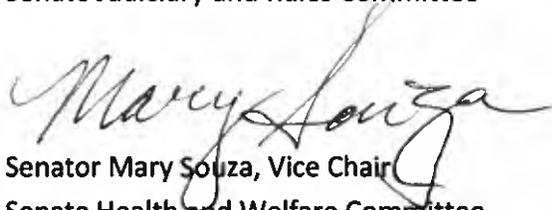
Rep. Fred Wood, Chair
House Health and Welfare Committee



Senator Abby Lee, Vice Chair
Senate Judiciary and Rules Committee



Rep. Greg Chaney, Chair
House Jud., Rules and Adm. Committee



Senator Mary Souza, Vice Chair
Senate Health and Welfare Committee



Senator Carl Crabtree, Vice Chair
Senate Transportation Committee

ⁱ Idaho Department of Health and Welfare (2019). *Suicide Deaths: Idaho Residents, 2014–2018*.

ⁱⁱ Centers for Disease Control and Prevention (2018). *Vital Signs: Suicide Rising Across the US*.

ⁱⁱⁱ Mental Health America (2020). *Prevalence of Mental Illness 2020*.



Idaho State Senate

SENATOR MARY SOUZA

DISTRICT 4

March 9, 2020

The Honorable Senator Mark Harris and
The Honorable Representative Ilana Rubel
Joint Legislative Oversight Committee
954 W. Jefferson, Suite 202
Boise, Idaho 83720-0081

Subject: Request for Evaluation

Dear Senator Harris and Representative Rubel,

The Idaho State Legislature is asked almost yearly to determine whether or not a scope of practice expansion for one of our many licensed health professions is within the education and clinical training of that profession, and whether or not the expansion would pose a risk to patient safety and quality of care. Our objective is always to determine what is in the best interests for the overall health of our constituents.

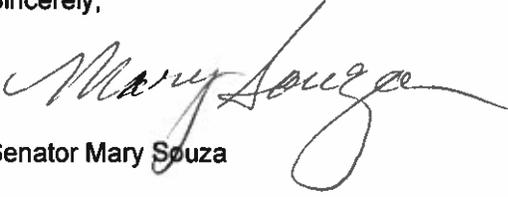
Therefore, I am requesting that the Office of Performance Evaluations investigate ways in which other states have approached scope of practice expansion requests for licensed Idaho healthcare professions, specifically through formal review and assessment mechanisms prior to any introduction at the legislative or regulatory rule-making level. States such as Arizona, Nebraska, Washington, West Virginia, and Vermont have all implemented some type of formal review process to examine these very types of scope expansion proposals for healthcare professions.

As elected Idaho legislators from varying professional backgrounds, we often do not have the collective technical background and health information to be certain the decisions we are asked to make are beneficial or pose potential harm to the delivery of health care to our citizens. Oftentimes we may not have the professional and independent understanding of the medical and economic implications of such recommendations on an individual basis. Nevertheless, our legislative body is routinely overwhelmed with the number of healthcare scope expansion proposals we are asked to consider. Currently, when a scope of practice change is proposed in Idaho, we must consider many complex issues in a relatively short time frame. These decisions could have serious medical implications on our constituents if not given the necessary time to thoroughly review and assess whether the purported benefits outweigh the potential risks.

Effective legislative decision-making is dependent on each legislator having access to balanced, thoroughly researched information and fact-based evidence. This is especially true when deciding on the future of our state's healthcare delivery system. An independent and objective review process prior to the introduction of scope-related legislation would help us as lawmakers to determine whether the changes contribute to the improvement of the overall health of people in this state, or whether the changes could place patients at undue risk. Additionally, this information could also be used to inform future policy decisions.

I hope that you will consider approving this evaluation. It would provide invaluable information to assist in making an informed decision on an issue that has serious medical safety and health implications for all Idaho citizens.

Sincerely,

A handwritten signature in cursive script that reads "Mary Souza". The signature is fluid and extends to the right.

Senator Mary Souza

HOME ADDRESS
1619 8- Mile Creek Road
Soda Springs, ID 83276
Home: (208) 547-3360



COMMITTEES

STATE CAPITOL
P.O. Box 83720
BOISE, IDAHO 83720-0081
mharris@senate.idaho.gov

Idaho State Senate

SENATOR MARK R. HARRIS

Joint Legislative Oversight Committee
Co-Chair Senator Mark Harris
Co-Chair Representative Llana Rubel

Dear Joint Legislative Oversight Committee.

Today, an estimated 5.6 million Americans aged 65 and older are living with Alzheimer's disease. By 2050, there are projected to be nearly a million new cases every year. To date, more than 26,000 Idahoans are living with Alzheimer's and other dementia related disease. This figure is expected to increase to over 33,000 by 2025. According to the Centers for Disease Control, Alzheimer's is the sixth leading cause of death for Idahoans.

Caring for people with Alzheimer's in Idaho is projected to cost Medicaid \$144 million in 2019. By 2025, this number is expected to increase by 34.7%. Medical bills are 23 times higher for people with Alzheimer's and other dementia covered by Medicaid and Medicare than people without Alzheimer's and other dementia also on Medicaid and Medicare.

Alzheimer's is a devastating disease, but its impact is not just on those with the disease. Alzheimer's affects entire families, causing financial hardships. To date, there are more than 85,000 caregivers in Idaho giving hours of voluntary care.

Numerous state agencies administer a variety of programs critical to people with dementia, such as respite care, nutritional care, and public health. Additional critical state efforts include regulatory oversight pertaining to the licensure of care facilities, enforcement of training requirements, and elder abuse protections. Local law enforcement are often first responders to crisis experienced by those with dementia. Unfortunately, these efforts are often siloed with multiple state agencies each working separately from one another. This lack of coordination hinders the ability of Idaho to evaluate the effectiveness of policy efforts across the spectrums of programs serving those with Alzheimer's and their families. This in turn makes it more difficult for the state to keep a strategic Alzheimer's State plan updated, executed and relevant to the change in health care.

We request that OPE study and make recommendations in the following five areas.

Study Idaho agency coordination of efforts to address the increases in Alzheimer's disease and other dementias that lie ahead. Identify mechanisms whereby state actions can be centrally coordinated and overseen.

Identify gaps and needs within state agencies as well as any potential cost savings that may be realized by eliminating duplicity.

Review and report on the progress of the Idaho State Alzheimer's Plan, endorsed by the legislature in HCR 34 in 2013.

Provide information concerning the infrastructure Idaho has in place regarding programs, services, regulations and laws addressing Alzheimer's disease and other dementia and their effectiveness.

Explore ways in which Idaho can limit the impact of Alzheimer's disease and other dementia long-term on Idaho's budget, patients, caregivers, and healthcare systems by building on successful chronic disease programs in Idaho and on Alzheimer's disease and related dementia programs in neighboring states.

The study would be a significant step in articulating the state's commitment to policies and actions that support its citizens affected by the disease and preparing the state for the enormous increases in Alzheimer's disease and other dementia that lie ahead.

Thank you for your consideration.

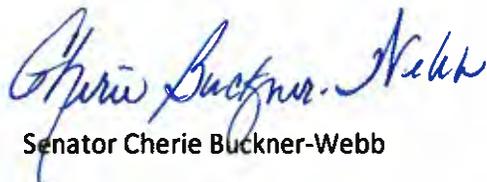
Sincerely,



Senator Mark Harris



Representative Rick D. Youngblood



Senator Cherie Buckner-Webb



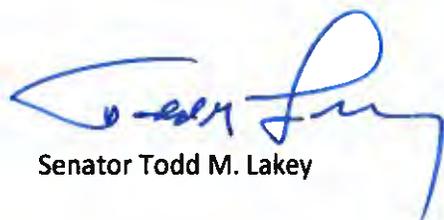
Representative Sage Dixon



Senator Michelle Stennett



Representative Linda Hartgen



Senator Todd M. Lakey



Idaho State Senate

SENATOR BERT BRACKETT

March 9, 2020

Joint Legislative Oversight Committee
Office of Performance Evaluations
Idaho Legislature
HAND DELIVERED

Dear Co-Chairs Senator Harris and Representative Rubel,

Idaho is missing a long-term vision for the state regarding expectations, funding, and informed policy decision for public post-secondary education in Idaho. This study proposal is a two-part request.

PART I: Policy

- Establish a baseline of how these programs are working so we're able to set new goals, determine progress and measure future success. The report should also consider return on investment, cost-benefit comparisons, and program impact on Idaho students.
- Evaluate the outcome of students who attend a community college and then transfer to complete their baccalaureate degree at one of our universities versus students who complete their entire education at a four-year institution. Understanding more about how community colleges and colleges/universities interact could help us identify best practices.
- Evaluate the results of Advanced Opportunity (dual credit) courses taken by high school students and how they contribute to degree completion.

PART II: Funding

- Our taxpayers are investing heavily in programs designed to improve the path to complete a certificate, associate or bachelor's degree. Some of the strategies utilized to accomplish these goals are Advanced Opportunities (dual credit) Programs, Opportunity Scholarships, and Adult Completer Scholarships.
- Determine the extent of the cost shift that's underway from the state to the institutions on building occupancy costs, and the impact of that shift on student programs.

- Develop recommendations and, ultimately, a model for stable long-term funding of public higher education in Idaho including endowments. Review the evaluations, studies, and surveys that have already been performed. Assess whether they have led to action or indicate whether further evaluation is needed.

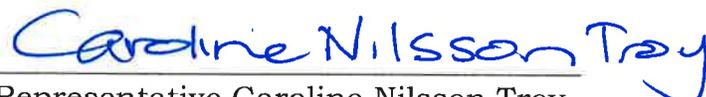
The report will provide current, unbiased, in-depth information to help policy makers (i.e., the SBOE, ISDE, legislators, educators, and administrators) make informed decisions that will help provide long-term direction for public higher education in Idaho.

Thank you for your consideration of this proposal.

Sincerely,



Senator Bert Brackett



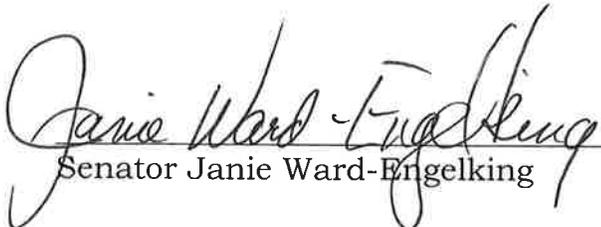
Representative Caroline Nilsson Troy



Senator Mark Harris



Senator Michelle Stennett



Senator Janie Ward-Engelking



Representative Paul Amador



Representative Britt Raybould



Representative Sally Toone