

MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Friday, January 20, 2012

**TIME:** 1:30 P.M.

**PLACE:** Room EW42

**MEMBERS:** Chairman McGeachin, Vice Chairman Bilbao, Representative(s) Loertscher, Shepherd, Thayn, Wood(27), Guthrie, Roberts, Rusche, Chew

**ABSENT/  
EXCUSED:** Representative Shepherd

**GUESTS:** Fernando Castro, Shirley Alexander, Steve Bellomy, Frank Powell, Dave Taylor, Department of Health & Welfare (DHW); Dennis Stevenson, Legislative Services Office; Brad Hunt, Office of Autism Research Coordination (OARC); Heidi Low, American Cancer Society; Representative Bob Nonini, Idaho House of Representatives.

**Chairman McGeachin** called the meeting to order at 1:35 p.m.

**DOCKET NO. 16-0506-1101:** **Steve Bellomy**, Bureau Chief, Audits and Investigations presented **Docket No. 16-0506-1101**, which distinguishes between various manslaughter convictions that can be discovered in the background check process for various programs. Additional minor changes update references, as well as clarify and improve the usefulness of existing rules.

**Mr. Bellomy** explained that these changes were a result of a discovery last year of citizens who failed their background checks because of past vehicular manslaughter convictions. The Department reviewed the criminal code for manslaughter, the history of convictions in the state for three years, took an employer survey on how they wanted such charges treated, and held hearings for public comments.

Permanent disqualification would occur for voluntary manslaughter, involuntary manslaughter, vehicular manslaughter with gross negligence, and vehicular manslaughter under the influence of alcohol or drugs, as defined in Idaho Code 18-4006. There is a five-year disqualification when the conviction is for vehicular manslaughter with commission of an unlawful act not amounting to a felony and without gross negligence.

Responding to questions by the committee, **Mr. Bellomy** stated that opposition has not been active and has been regarding the five-year disqualification, with opposition on both sides of the issues

**MOTION:** **Rep. Thayn** made a motion to approve **Docket No. 16-0506-1101**. **Motion carried on voice vote.**

**DOCKET NO. 16-0501-1101:** **Shirley Alexander**, Child Welfare Program Manager, Division of Family and Community Services, presented **Docket No. 16-0501-1101**, legislation that addresses the parameters of confidential information release. She explained that this section was inadvertently deleted in 2004 when the rules were modified for the Health Insurance Portability and Accountability Act (HIPAA).

**MOTION:** **Rep. Rusche** made a motion to accept **Docket No. 16-0501-1101**. **Motion carried on voice vote.**

**RS 20965:** **Rep. Nonini**, Idaho House of Representatives, presented **RS 20965**, proposed legislation to make the sale of electronic cigarettes containing nicotine to minors illegal. Idaho law addresses only tobacco, not nicotine, which is a dangerous drug. This legislation was brought by the Panhandle Heath District for sponsorship and addresses a serious issue. In response to questions from the committee, Rep. Nonini stated that this would not impact sales to adults.

**MOTION:** **Rep. Wood** made a motion to introduce **RS 20965**. **Motion carried on voice vote.**

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 1:51 p.m.

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Representative McGeachin  
Chair

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Irene Moore  
Secretary