

MINUTES
SENATE HEALTH & WELFARE COMMITTEE

DATE: Thursday, March 01, 2012

TIME: 3:00 P.M.

PLACE: Room WW54

MEMBERS PRESENT: Chairman Lodge, Vice Chairman Broadsword, Senators Darrington, Smyser, Heider, Vick, Nuxoll, Bock, and Schmidt

**ABSENT/
EXCUSED:**

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

MINUTES: **Chairman Lodge** called the meeting to order at 3:05 p.m. and welcomed those in attendance.

MINUTES APPROVAL **Senator Nuxoll** moved, seconded by **Senator Bock**, to approve the minutes of January 25, 2012. The motion carried by **voice vote**.

MINUTES APPROVAL **Senator Heider** moved, seconded by **Senator Schmidt**, to approve the minutes of February 7, 2012. The motion carried by **voice vote**.

H 442 **Relating to Nursing Home Administrators-in-Training. Robert Van de Merwe**, Executive Director, Idaho Health Care Association, explained that in order to complete degrees such as Hospital Administration, an internship is required, and that a post degree full time one year internship is also required to become a licensed administrator of a skilled nursing facility or nursing home. This legislation would allow the use of the internship required to complete a degree to also meet the requirement for the post degree internship, eliminating the need for an individual to complete two internships. **Mr. Van de Merwe** advised that the Board of Occupational Licenses is in favor of this legislation.

MOTION: **Senator Heider** moved, seconded by **Senator Schmidt**, that the Committee send **H 442** to the floor with a do pass recommendation. The motion carried by **voice vote**. **Senator Heider** will sponsor **H 442** on the floor.

H 441 **Relating to Health Care for Indigent Persons. Tony Poinelli**, Idaho Association of Counties, explained that this legislation clarifies the requirements for counties and the Catastrophic Health Care Cost Board (CAT) to enable them to pay for authorized expenditures for alternative programs that would help control health care costs of indigent individuals. He stated the language is broad as it was felt that it did not make sense to tie it to a particular program. An example of an alternative program would be COBRA. If an individual is unemployed and still eligible for COBRA, the county could assist the individual in paying the premium. A Pre-existing Condition Insurance Plan (PCIP) would be another example of an alternative program to which individuals could be directed with the assistance of CAT. These alternatives would still require meeting indigency eligibility, but would additionally allow for primary and preventative care to help manage and control costs.

Mr. Poinelli advised that consultation with the Attorney General's office showed that the law clearly states that the CAT fund is for medical treatment alone; however, *Idaho Code*, Section 57-813, allows the CAT Board to pay for premiums. **Mr. Poinelli** provided the Committee with an analysis of potential savings by using these alternative programs (see Attachment #1).

Senator Darrington asked if the language stating the Board "has the right to," allows the counties enough discretion to pick and choose which cases they will assist with insurance coverage in the event an indigent decided to demand something be covered. **Mr. Poinelli** indicated that if a person is deemed indigent, the county will be responsible regardless; but if the county can assist in paying part of an insurance premium, the individual and the county benefits.

Vice Chairman Broadsword asked if the county agrees to pay for insurance premiums for a certain period of time. **Mr. Poinelli** stated that the CAT Board requires a medical review, and may agree for a certain period of time, it does not require ongoing payment.

MOTION: **Vice Chairman Broadsword** moved, seconded by **Senator Nuxoll**, that the Committee send **H 441** to the floor with a do pass recommendation. The motion carried by **voice vote**. **Vice Chairman Broadsword** will sponsor **H 441** on the floor.

H 500 **Relating to Occupational Therapy Practice Act.** **Roger Hales**, Attorney, on behalf of the Board of Occupational Therapy (Board), stated that the purpose of this legislation is to eliminate ambiguity in the law relating to continuing education. Current law implies that only those continuing education courses recommended by the private state association may be approved by the Board and any continuing education courses sponsored by the state association are automatically approved by the Board. The ambiguity is whether or not the Board can approve courses other than those recommended by the state association. This legislation clarifies that other continuing education courses may be approved by the Board.

Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #2).

Vice Chairman Broadsword asked how the state association feels about being removed from this portion of the law. **Mr. Hales** indicated the state association is aware of the Board's decision to pursue this legislation and did not oppose it in the House. He added that any continuing education courses conducted or sponsored by the state association were automatically approved, this simply allows other programs to be approved as well. **Vice Chairman Broadsword** followed up by asking if the automatic approval would be inserted in rules. **Mr. Hales** indicated it is in rules at this time.

MOTION: **Senator Schmidt** moved, seconded by **Senator Heider**, that the Committee send **H 500** to the floor with a do pass recommendation. The motion carried by **voice vote**. **Chairman Lodge** will sponsor **H 500** on the floor.

H 501 **Relating to Counselors and Therapists.** **Mr. Hales**, on behalf of Idaho Board of Professional Counselors and Marriage and Family Therapists (Board), introduced **Dorothy Spenner**, a member of the Board and a Licensed Clinical Professional Counselor and Marriage and Family Therapist, who is in attendance to answer technical questions. The purpose behind this legislation is to clarify and clean up the statute after numerous amendments over the last 12 years to add additional license categories. **Mr. Hales** reviewed each substantive change and noted that both Counselor and Marriage and Family Therapists Associations fully support this bill.

Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #3).

Senator Smyser asked about the section regarding licensees from other states during a disaster, and how that came about. **Mr. Hales** stated that natural disasters like Hurricane Katrina have brought this about, and that many medical related boards, have disaster scenarios.

Senator Darrington asked what happened to the category of pastoral counselors. **Mr. Hales** indicated there was only one licensed pastoral counselor over several years and that license was eliminated.

Senator Heider asked how a couple would go about finding the right counselor for their situation. **Mr. Hales** deferred to **Ms. Spenner**, who indicated that couples counseling is considered an area of expertise, and that a Licensed Professional Counselor could offer couples and family therapy. She noted that insurance companies often keep records of a counselor's area of expertise, and recommend couples. They also depend on professionals to emphasize an area of expertise and stay within that practice. **Senator Heider** further asked how someone would come into contact with a therapist. **Ms. Spenner** indicated there are often word of mouth referrals, much like other medical practices.

MOTION: **Senator Smyser** moved, seconded by **Senator Heider**, that the Committee send **H 501** to the floor with a do pass recommendation. The motion carried by **voice vote**. **Senator Smyser** will sponsor **H 501** on the floor.

ADJOURNMENT: There being no further business to come before the Committee, **Chairman Lodge** adjourned the meeting at 3:40 p.m.

Senator Lodge
Chairman

Lois Bencken
Secretary

Erin Bennett
Assistant Secretary