

MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Wednesday, January 23, 2013

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

**PLACE:** Room EW20

**MEMBERS:** Chairman Wood(27), Vice Chairman Perry, Representatives Hancey, Henderson, Hixon, Malek, Morse, Romrell, Vander Woude, Rusche, Chew

**ABSENT/  
EXCUSED:** None.

**GUESTS:** Nancy M. Kerr, Idaho Bureau of Medicine; Angela Jones, Dwight Hansen, Idaho Commission for the Blind and Visually Impaired; Kurt Sembridge, GlaxoSmithKline; Lyn Darrington, State Farm; Peter Shearer, Idaho Resident.

**Chairman Wood(27)** called the meeting to order at 9:00 a.m.

**RS 21586:** **Angela Jones**, Administrator, Commission for the Blind and Visually Impaired, presented **RS 21586**, legislative changes to protect visually impaired bioptic drivers, especially those in areas with limited public transportation. She described current statute conflicts and the qualifications for the legally blind status. The changes overcome presumptions that limit anyone whose vision can be improved by the use of assisted technology, such as bioptic glasses. Bioptic drivers must pass annual driving skills and written tests. These updates retain independence and work ability for visually impaired persons.

In answer to questions, **Ms. Jones** said many bioptic drivers have claimed no traffic tickets or accidents, but she has no other driving record statistics for this group. Since bioptics are assisted technology, there is no impact on claimed visual tax exemption eligibility. The impact of this technology on night or peripheral vision is based on individual abilities.

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

**MOTION:** **Rep. Malek** made a motion to introduce **RS 21586. Motion carried by voice vote.**

**DOCKET NO. 22-0101-1201:** **Nancy Kerr**, Executive Director, Idaho Board of Medicine, presented **Docket No. 22-0101-1201**, a Pending Rule that updates the Board's web address, provides for electronic copies, adds birth certificates to application documentation requirements, clarifies the purpose of serving on the prelitigation physician panel, and complies with federal and local law enforcement recommendations for fingerprint reporting security procedures.

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

**MOTION:** **Rep. Rusche** made motion to approve **Docket No. 22-0101-1201. Motion carried by voice vote.**

**DOCKET NO. 22-0111-1201:** **Nancy Kerr** presented **Docket No. 22-0111-1201**, which corrects the Board's web address, provides for electronic copies, adds a requirement for a same-site supervisor for polysomnographic trainees, provides for application disclosure of criminal charges, regardless of outcome, and prohibits polysomnographic technicians from applying for temporary permits as polysomnographic trainees.

Responding to questions, **Ms. Kerr** stated that revision of criminal charges, regardless of outcome, includes those that were plead to a lesser charge, which still may require monitoring of the applicant. Permits allow polysomnographers to practice portions of respiratory therapy. Temporary permits are time limited and designed to expire if the trainee does not progress. Expiration of temporary permits prior to progression of training is not an issue. A polysomnographer performs sleep studies to help physician's diagnosis and treat sleep disorders and provides instruction in the use of continuous positive airway pressure (CPAP) equipment.

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

**MOTION:** **Rep. Morse** made a motion to approve **Docket No. 22-0111-1201. Motion carried by voice vote.**

**DOCKET NO. 22-0112-1201:** **Nancy Kerr** presented **Docket No. 22-0112-1201**, a Pending Rule that repeals the entire chapter which has never been used in any proceeding before the Board, since each profession has existing rules for cases of inability of licensees to practice with reasonable skill or safety.

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

**MOTION:** **Rep. Morse** made a motion to approve **Docket No. 22-0112-1201. Motion carried by voice vote.**

**DOCKET NO. 22-0114-1201:** **Nancy Kerr** presented **Docket No. 22-0114-1201**, which corrects the Board's web address, provides for electronic copies, clarifies the format for submission of public complaints, updates terminology, and clarifies the conducting and practice indicators for investigations.

Upon questioning, **Ms. Kerr** stated that the Board responds to a complainant within ten days, when possible, but in some cases it takes longer to collect evidence before notifying the complainant. Complaints are protected under the Public Records Act, and when an investigation is initiated the relationship of the complaint to the patient is the focus, not the name of the complainant.

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

**MOTION:** **Rep. Hixon** made a motion to approve **Docket No. 22-0114-1201. Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 9:28 a.m.

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Representative Wood(27)  
Chair

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Irene Moore  
Secretary