

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Thursday, February 21, 2013

TIME: 9:00 A.M.

PLACE: Room EW20

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

**ABSENT/
EXCUSED:** Representative(s) Henderson, Malek

GUESTS: John Cochran and Josh Bates, Idaho State University, Meridian, Nursing; Mitch Scoggins, Kathryn Turner, Robert Luce, Elke Shaw-Tulloch, Department of Health & Welfare (DHW); Julie Taylor, Blue Cross of Idaho; Shad Priest, Regence Blue Shield; Marnie Packard, Pacific Source; Holly Koole, Idaho Prosecuting Attorneys Association; Kathie Garrett, National Alliance on Mental Illness Idaho; Mike Kane, John D. Blaisdell, DDS, Susan Miller, Board of Dentistry; Lyn Darrington, Gallatin Public Affairs; Elizabeth Criner, Idaho State Dental Association; Woody Richards, Willamette Dental of Idaho

Chairman Wood(27) called the meeting to order at 9:02 a.m.

MOTION: **Rep. Rusche** made a motion to approve the minutes of the February 13, 2013, meeting. **Motion carried by voice vote.**

MOTION: **Rep. Rusche** made a motion to approve the minutes of the February 14, 2013, meeting. **Motion carried by voice vote.**

Chairman Wood(27) welcomed **Representative Chris Smith**, who is substituting for **Vice Chairman Perry**.

RS 22074: **Suzie Pouliot**, CEO, Idaho Medical Association, presented **RS 22074** which authorizes health care work force information sharing between the Board of Medicine and the Department of Labor. This data will be used to determine physician shortage areas and facilitate application for federal funding used to attract physicians to rural areas.

MOTION: **Rep. Rusche** made a motion to introduce **RS 22074**. **Motion carried by voice vote.**

RS 21984: **Rep. Elaine Smith** presented **RS 21984**, proposed legislation to develop cord blood banking brochures to inform expectant families about available options at the birth of their child. Three choices exist: public bank donation; private bank storage; or, do nothing. Of the available cord blood banks, the closest public bank is in Seattle and the closest private bank is in Utah. The annual fiscal estimate is \$7,500 to produce the brochure. Rep. Smith requested a change on page 1, line 18, from "shall" to "may".

In response to questions, **Rep. Smith** said private cord blood bank storage costs range from \$1,000 to \$2,000, while public banks have no storage cost, but may charge a collection fee. She explained that the Administrator for the Division of Public Health will manage a certified prenatal care provider database for distribution. She agreed that sending the cord blood out of state is a more complicated process.

MOTION: **Rep. Morse** made a motion to introduce **RS 21984** with the following change: on Page 1, Line 18, change the word "shall" to "may."

Rep. Chew, commenting on the motion, said she would rather have the wording left as it stands.

VOTE ON MOTION: **Chairman Wood(27)** called for a vote on the motion to introduce **RS 21984** with the following change: on Page 1, Line 18, change the word "shall" to "may." **Motion carried by voice vote.**

RS 22063: **Rep. Kauffman** presented **RS 22063**, a new section that strengthens advocacy for crimes against the elderly by enhancing the penalties for persons convicted of specified felony violations. Increased costs are difficult to determine since they are based on unknown usage variables. Answering a question, Rep. Kauffman said prosecutors indicate this legislation would be a tool to encourage victims to speak up and persuade an accused person to admit the abuse. The ten-year maximum sentence is less than the usual felony conviction enhanced penalty of twenty years.

MOTION: **Rep. Morse** made a motion to introduce **RS 22063**.

Responding to additional questions, **Rep. Kauffman** said this new code would be used by judges during sentencing. A full hearing would include testimony from the Department of Corrections on the fiscal impact.

VOTE ON MOTION: **Chairman Wood(27)** called for a vote on the motion to introduce **RS 22063**. **Motion carried by voice vote.**

RS 21769C2: **Rob Luce**, Administrator, Division of Family and Community Services, DHW, presented **RS 21769C2**, which clarifies adoption statutes governing paternity, the putative father registry, termination of parental rights, and adoption. This legislation establishes a date and time certain, with one exception, for putative fathers to protect their inchoate interests for a child born out of wedlock. It also directs the DHW to produce and distribute a publication about the inchoate interest of putative fathers.

MOTION: **Rep. Hixon** made a motion to introduce **RS 21769C2**. **Motion carried by voice vote.**

H 142: **Michael Kane**, on behalf of the Board of Dentistry, presented **H 142**. Idaho Code requires that a dentist practice under his own true name, except as authorized by the Professional Service Corporation Act (PSCA), with no reference to professional limited liability companies and limited managed care plans. The proposed change allows dentistry practice under the name of a professional limited liability company, as long as all members are licensed the same. It also recognizes limited managed care plans as dental plans. Disciplinary authority is provided to the Board of Dentistry. Responding to a questions, Mr. Kane stated that this legislation assures a first priority of health care delivery, instead of bottom line profits.

Contrary to their sign-in, **John Blaisdale** and **Susan Miller** chose not to testify.

Elizabeth Criner, Idaho State Dental Association, testified **in support of H 142**, stating that the changes in this legislation are important.

Dr. John Blaisdale, Dentist, Chairman, State Board of Dentistry, was asked to respond to a question. He stated that evidence indicates a nationwide problem. Dentists employed by non-Idaho licensed companies are coming from all over the country. **Mr. Kane** stated that medical doctors have the same stipulation.

MOTION: **Rep. Morse** made a motion to send **H 142** to the floor with a **DO PASS** recommendation.

Mr. Kane responded further that statute clarifies the disciplinary action options when a dentist violates the standards of care.

VOTE ON MOTION: **Chairman Wood(27)** called for a vote on the motion to send **H 142** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Morse** will sponsor the bill on the floor.

H 178: **Rep. Thompson** presented **H 178**, legislation to extend the authority of the Immunization Board sunset date to July 1, 2015.

MOTION: **Rep. Rusche** made a motion to send **H 178** to the floor with a **DO PASS** recommendation.

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

VOTE ON MOTION: **Chairman Wood(27)** called for a vote on the motion to send **H 178** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Thompson** will sponsor the bill on the floor.

Elisha Figueroa, Administrator, Office of Drug Policy, presented to the committee on prescription drug abuse, the nation's and state's fastest growing drug problem. The most commonly abused substances include opioids, depressants and stimulants. She explained that valid medical conditions that can lead to addiction, but there are misconceptions that prescription drugs are safe and legal. Student abuse and deaths are rising with the ease of medicine cabinet access. Interagency cooperation within the Pharmacy Workgroup includes families who have lost someone and addresses the issue from different perspectives. She described the Pharmacy Workgroup, whose goals are to reduce the numbers of drug related deaths and students reporting use without prescriptions. Their plan includes increased use of the Prescription Monitoring Program (PMP) through prescriber education, continuing education credits, and insurance company incentives. Ms. Figueroa explained that drug impaired driving incidents have surpassed alcohol and pose prosecution and testing problems, especially in rural areas without a drug recognition expert. Legislation is being developed to improve prosecution ability. Educational campaigns in 2014 will target adults to identify the issue, dangers, and what can be done to lock and dispose of medications. Responding to questions, Ms. Figueroa stated that leftover medication is often given to friends or family, because it's perceived as safe. Without prescriber use of the PMP, the ability to determine doctor shopping or fraudulent prescription purchase is very difficult.

HCR 6: **Rep. Rusche** presented **HCR 6**, a concurrent resolution to recognize the drug abuse problem and encourage an Idaho response. He described the large Pharmacy Workgroup addressing this multifaceted problem. Prescription drugs, obtained from home medicine cabinets or multiple providers, are used for personal addiction and sold for profit. It is important that prescriptions involve the correct pain treatment, with nurse practitioners and providers aware of what the prescriptions can do, whether abused or not. Families need to be aware of reactions from leftover medication use, particularly for adolescents. This resolution puts the Legislature on record and calls on the various aspects of government, the Office of Drug Policy, the DHW, and the licensing boards to continue their collective work on this issue, with recognition of it's enormity.

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

MOTION: **Rep. Chew** made a motion to send **HCR 6** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Rusche** will sponsor the bill on the floor.

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

Representative Wood(27)
Chair

Irene Moore
Secretary