

MINUTES
SENATE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Thursday, March 06, 2014

TIME: 1:30 P.M.

PLACE: Room WW54

MEMBERS PRESENT: Chairman Tippetts, Vice Chairman Patrick, Senators Cameron, Goedde, Guthrie, Martin, Lakey, Schmidt and Ward-Engelking

**ABSENT/
EXCUSED:** None

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.

CONVENED: **Chairman Tippetts** called the meeting to order at 1:31 p.m. and welcomed all.

MOTION: **Vice Chairman Patrick** moved to approve the Minutes of February 13, 2014. **Senator Ward-Engelking** seconded the motion. The motion carried by **voice vote**.

MOTION: **Reconsideration of Vote: Payday Loans - S 1314. Senator Ward-Engelking** moved to reconsider the vote on **S 1314. Senator Cameron** seconded the motion.

Chairman Tippetts explained the process. He said the rules of the Senate allow the Committee to reconsider a vote that has been taken. He noted that any member voting on the prevailing side of the vote can make a motion for reconsideration, as long as the bill was held in the Committee. He indicated the motion is debatable as to whether or not the Committee will reconsider the vote. He explained that if the motion passed, debate would be open among the Committee members and a vote would be taken. **Chairman Tippetts** explained there would be no more testimony since there was full testimony taken at the last meeting. He emphasized there was nothing underhanded or tricky, and while it does not happen often in Committee, it is not uncommon, and he has seen a motion to reconsider many times over his legislative career.

Senator Martin spoke in favor of the motion and expressed his concern that **S 1314** had not received a full vote from the Committee, with several members having excused absences. **Senator Lakey** was in support of the motion and agreed with Senator Martin. **Senator Guthrie** indicated he would support the motion and the reconsideration.

The motion carried by **voice vote**.

MOTION: **Senator Martin** moved that **S 1314** be sent to the floor with a **do pass** recommendation. **Senator Ward-Engelking** seconded the motion.

Senator Martin said he believed the idea of payday loans has been worked on for several years. He believed that those opposed had an opportunity and would continue to have the opportunity to either modify the language or to come up with their own proposals that would be better for them. He said this was a good step in the right direction. The Legislature would have the opportunity in the future to continue to modify the legislation.

Senator Lakey indicated he was against the motion and his position had not changed, as he did not believe in government control on these issues. **Senator Guthrie** commented he was in opposition to the motion. He explained that we are creating an opportunity to transition from payday loans to extended payment loans and there is nothing to prevent increasing loan fees beyond what is typical practice today. **Vice Chairman Patrick** commented this motion will make it easier for people who borrow money and that the old way was worse. **Senator Ward-Engelking** commented this was a good way for people to be able to pay off their loans.

ROLL CALL VOTE: **Chairman Tippets** called for a **roll call vote**. **Senators Cameron, Goedde, Martin, Schmidt, Ward-Engelking, Vice Chairman Patrick** and **Chairman Tippets** voted **aye**. **Senators Guthrie** and **Lakey** voted **nay**. The motion **carried**. **Senator Heider** will carry this bill on the floor of the Senate.

MOTION: **Senator Lakey** moved to approve the Minutes of February 18, 2014. **Senator Cameron** seconded the motion. The motion carried by **voice vote**.

S 1359 **Relating to Exemption from Coverage from Worker's Compensation Law** was presented by Senator Dan Johnson. **Senator Johnson** said the owner of a sole proprietorship and his family members working in their business are exempt from worker's compensation under Idaho Code § 72-212. This legislation clarifies that a single member limited liability company (LLC) that is being taxed as a sole proprietorship is also treated as a sole proprietorship for purposes of the worker's compensation exemption. He noted this legislation will have no effect on the State General Fund, but could result in up to \$8,000 in lost revenues to the Industrial Commission annually, if all single member LLCs were otherwise not recognized as sole proprietorships. **Senator Johnson** said he had the Citizen's Advisory Committee review this proposed legislation and there was no opposition.

MOTION: **Senator Cameron** moved that **S 1359** be sent to the floor with a **do pass** recommendation. **Senator Martin** seconded the motion. The motion carried by **voice vote**. **Senator Johnson** will carry this bill on the floor of the Senate.

S 1363 **Relating to Licensure of Genetic Counselors** was presented by Jennifer Eichmeyer, Genetic Counselor. **Jennifer Eichmeyer** thanked the Committee for the opportunity to testify. She stated she has been a practicing genetic counselor in Idaho for 12 years. **Ms. Eichmeyer** explained she was representing her Idaho genetic counseling colleagues, all of whom fully support this proposal and have actively participated in the development of this bill. She noted that genetic counselors are healthcare professionals who have masters degrees with specialized training in medical genetics and counseling theory. They work in various clinic settings collaborating with other medical professionals, interpreting family and medical histories to assess risk of disease, educating families about inheritance, genetic testing, disease management, prevention, and available resources. Genetic counseling is a consultation service translating complex information into accessible content to be used at the discretion of the primary medical provider and the patient. Although genetic counselors have a national certification process with a rigorous board examination and continuing education credits, this certification is voluntary.

In January of 2014 a number of insurance companies changed policy criteria to require genetic counseling before payment of specific genetic tests.

Ms. Eichmeyer explained that currently in Idaho, any individual can hold himself or herself out as a genetic counselor, which may include ordering, interpreting, and acting on genetic test results. Without verification of the proper training, misunderstanding may lead to inappropriate and catastrophic medical intervention, emotional injury, and financial loss. Additionally, a lack of appreciation for privacy concerns may leave individuals vulnerable. She commented that the enormous growth of genetic tests and genetic testing companies makes this a serious and urgent matter for our state. Occupational licensure in Idaho is a recognized process in healthcare which helps the public determine who is a qualified provider meeting minimum competency standards. Given the sensitive and consequential nature of genetic information, licensure will help to ensure that quality genetic counseling services will be delivered to the people of Idaho. The involvement of properly trained genetic counselors has been shown to improve medical and psychological outcomes as well as reduce health care costs.

Ms. Eichmeyer explained that the legislation excludes healthcare professionals such as physicians, nurse practitioners, and others whose scope of practice already involves some components of genetic counseling. This legislation is intended to ensure consumers and healthcare providers that the individuals who provide genetic counseling and publicly call themselves genetic counselors have the necessary qualifications to do so. **Ms. Eichmeyer** indicated that the Genetic Counseling Licensing Board (Board) will be self-sustaining through the licensing fees, and they do not expect the licensing Board's expenses to have a fiscal impact on the State of Idaho based on the experience of other states with genetic counseling licensure.

Ms. Eichmeyer said they have worked with Tana Cory at the Idaho Bureau of Occupational Licensure for several years to understand how self-governing boards operate, and we have used this information in development of our business plan. She pointed out that there are 19 states with genetic counselor licensure. The first state to license genetic counselors was Utah in 2001 with 14, with ongoing efforts to establish licensure in the remaining others. Licensure has helped in increasing access of services by drawing more genetics professionals to the region. Utah has seen their genetic counselors grow to nearly 100 since licensure passed. **Ms. Eichmeyer** said there were only ten licensed genetic counselors in the State. **Chairman Tippetts** asked all of them to stand to be recognized.

In working with the Senate Health and Welfare Committee, **Ms. Eichmeyer** said they have learned many valuable lessons, and they have applied those thoughtful and helpful suggestions to their bill. They are committed to persevere as licensing of genetic counselors is an extremely important issue for the people of Idaho.

Senator Goedde asked Ms. Eichmeyer if she was aware of anyone holding themselves out to being a genetic counselor. **Ms. Eichmeyer** said that some may, but most of the genetic counselors were in southern Idaho.

Senator Cameron asked what the role was of a genetic counselor, the benefits of licensure, the attempted goal of licensing, and was Ms. Eichmeyer a licensed counselor. **Ms. Eichmeyer** responded that this was a unique, non-traditional medical profession. There is no license in any specialty. Licensure would bring protection for the public. She said they were experts in genetics, they helped interpret genetic tests and they help people with information that could potentially change their lives. **Senator Cameron** wanted to know when would one require a genetic counselor. **Ms. Eichmeyer** said she works with oncology patients, especially those who have been diagnosed with cancer under the age of 50. She said that was a red flag for a hereditary condition. She said a genetic counselor would evaluate, order and interpret tests and possibly recommend additional

screening. **Senator Cameron** wanted to know how genetic counselors were compensated for their time and service. **Ms. Eichmeyer** responded that billing was done under a doctor's name through the hospitals. However, she pointed out, that if they were to pass licensure, they could directly bill the insurance company, which would reduce costs.

Senator Guthrie asked about the term "genetic counseling license" and was there a title. **Ms. Eichmeyer** said that once someone passed the boards they would receive a Certified Genetic Counselor (CGC) title. **Senator Guthrie** commented that in Chapter 56, Section 54-5605 the definition of "genetic counselor licensure" was broad. He wanted to know who else would want to be a genetic counselor without the CGC title, and whether that would be problematic if someone wanted to be a consultant or an associate. **Ms. Eichmeyer** replied that she thought the exemptions would cover most of the individuals that may be calling themselves a genetic associate.

Senator Schmidt referred to page 2, line 40, "Any person employed as a genetic counselor by the federal government or an agency thereof if such person provides genetic counseling services solely under the direction and control of the organization by which he is employed" and commented that as he understood this language, if someone was an employed counselor, they were not required to be licensed. **Ms. Eichmeyer** said the language was in reference to a federal agency.

Chairman Tippetts referred to page 8, Section 54-5616, prohibited acts, "It shall be unlawful and a misdemeanor for any person to engage in any of the following acts: (1) To violate any of the provisions of this chapter and any rules promulgated pursuant thereto"; line 10, "(3) To practice, attempt or offer to practice genetic counseling"; and page 3, line 11, "A license shall be required to engage in the practice of genetic counseling"; and expressed a concern about the scope of practice being appropriate since only genetic counselors can practice except for the exemptions that were previously discussed. He pointed out a couple of items that seemed broad to him. He cited line 26, "Evaluate the clients or family's response to the condition or risk of recurrence and provide client-centered counseling and anticipatory guidance" and said it would be, according to the proposed legislation, inappropriate for those who are trained to provide counseling as counselors and social workers. He asked about line 31, "Provide written documentation of medical, genetic and counseling information for families and health care professionals" and said he wanted Ms. Eichmeyer to respond to the idea that the "scope of practice" seemed broader than it needed to be. Potentially people are being made criminals by charging them with a misdemeanor for doing something inappropriate. **Ms. Eichmeyer** responded that many of the individuals, such as a therapist or a counselor, would address initial concerns, which is within their scope of practice, and they would fall under the exemption. **Chairman Tippetts** clarified that anyone who is licensed to practice within their professional field is exempt.

Senator Cameron asked what the necessity was of making a violation a misdemeanor. **Ms. Eichmeyer** called upon Heather Hussey, genetic counselor, to answer the question. **Ms. Hussey**, said she believed the reason violations were identified as a misdemeanor was because they were following the policy of the other 19 states, in addition to working with the Bureau of Occupational Licensure to identify the most appropriate way to impose a penalty upon someone who is providing genetic counseling inappropriately. **Senator Cameron** asked if her response would be the same for the \$1,000 application fee and the reason for the exclusion or denial of license in disciplinary proceedings that include habitual drunkenness. **Ms. Eichmeyer** said "yes." **Senator Cameron** also wanted to know about page 6, line 21, "the Board may refuse to issue or refuse to renew a license in a related field revoked or suspended" and asked Ms. Eichmeyer to define a

"related field." **Ms. Eichmeyer** responded that a "related field" would be the field of medical genetics as opposed to genetic counseling.

Senator Schmidt stated the requirements for licensing were a masters level in genetics plus board certification, and wanted to know if there was specific counseling training required for passing the boards. **Ms. Eichmeyer** responded that genetic counselors are trained in psycho-social counseling. **Senator Schmidt** clarified that to pass the boards there is a requirement for counseling training, but that is not true for a masters in genetics. **Ms. Eichmeyer** replied, "there is no counseling training for medical genetics."

Senator Lakey stated the penalty of a misdemeanor bothered him and asked if it was a misdemeanor if someone said they were a counselor and they were not. **Ms. Eichmeyer** said other states used the misdemeanor penalty, but she could not speak to the misdemeanor penalty if someone misrepresented themselves as a counselor.

Senator Guthrie stated he assumed genetic counselors were able to bill insurance companies and patients. **Senator Guthrie** asked if those who have not reached the status of genetic counselor, were they billing insurance companies. If so, did Ms. Eichmeyer see this as a change in the dynamics as to how insurance companies pay providers. **Ms. Eichmeyer** answered, "right now genetic counselors cannot bill under their own code, but there is a diagnostic code that genetic counselors can use." The billing is not reimbursable by the insurance companies. Currently, they bill under a physician's code and this legislation would change the dynamics of how billing occurs, which would be a more accurate reflection. **Senator Guthrie** wanted to know if one has a CGC license, if those individuals were allowed to bill and be paid through a physician network. **Ms. Eichmeyer** said that if an individual could have the CGC, they could bill by themselves.

TESTIMONY:

Anne Spencer said she represented genetic counselors in Idaho, and said she had the honor of having been the first genetic counselor to work in Idaho. She said she would like to add her perspective on the value of genetic counseling to the people of Idaho based on her own experience over the last two decades. She received her master's degree in Genetic Counseling from the University of California, Berkeley in 1991 and her certification from the American Board of Genetic Counselors in 1993. She began her career as a genetic counselor at Children's Hospital in Seattle in 1991 and then moved to Caldwell, Idaho in 1994. Her work during this time included providing genetic counseling for the State of Idaho Pediatric Genetics Clinic and Newborn Screening Program. Currently, she works with the Huntington's Disease Support Group, which supports families and patients who have a rare neuro-degenerative genetic condition that has severe adult onset consequences. During her first seven years here, she was literally the only genetic counselor in the State. People from all over Idaho would come to her with questions, needing assistance, or just trying to figure out how to find the resources they needed to take care of themselves, their patients, or their loved ones. Most genetic conditions that she saw were individually quite rare, occurring in 1 out of 20,000 people. For a rural state like Idaho, there may only be one child with a condition like tuberous sclerosis or William's syndrome born each year. For even rarer conditions like Lesch Nyhan syndrome, there may only be one or two people with the condition alive in the entire State. **Ms. Spencer** told the Committee to imagine being a family newly diagnosed with such a condition in their baby, not knowing how to pronounce the name of the condition, let alone what to do to help their child. Imagine being a primary care doctor trying to figure out how to diagnose a patient with a rare genetic condition, a condition only read about in a textbook. As a genetic counselor, she has been able to answer providers' questions about the best way to do follow up testing for a child who may have a rare life-threatening metabolic genetic disorder.

She said she has helped families whose children were diagnosed with a rare disorder become experts on their child's condition, by giving them accurate and current medical information. She has walked families through the process of getting important health screenings for a child with Down syndrome. And she has helped save money and time by making sure that the correct genetic tests were ordered in the most efficient and effective manner.

Ms. Spencer explained from the day she arrived in Idaho, it has been clear that there is a need for genetic counselors to help provide high quality medical services. The need has grown tremendously over the past 20 years. One of the lessons we have learned from the Human Genome Project is that we are all at risk for health conditions that have a genetic component. With increasing direct-to-consumer testing and aggressive marketing of genetic tests by pharmaceutical companies, there is also a growing risk of misunderstanding and misuse of genetic information, which can cause harm to individuals and cost the healthcare system unnecessary dollars. It is critical to ensure that genetic services are being provided by appropriately trained healthcare professionals. By enacting licensure now we can shape the provision of genetics counseling before the numbers are unmanageable. With the passing of this bill, consumers and referring healthcare providers can feel reassured that the individual who provides genetic counseling has the necessary qualifications to do so.

Wayne Hoffman, President of the Idaho Freedom Foundation, spoke in opposition to the bill. He said that genetic licensure is in effect in some states, but this bill calls for application fees of \$1,000 and other states charge less. He was concerned about the grandfather clause regarding licensure. He said more regulation has not made things less expensive and will deter people from entering the profession.

Amy Rohyans Stewart testified in support of genetic counselors. She explained that four-and-a-half years ago her little sister Becki, who had Down syndrome, died from complications of influenza H1N1 at the age of 34. Just three months later, her mother was diagnosed with stage 4 primary peritoneal cancer, which is a very rare form of cancer and related to ovarian cancer. Only three weeks later, her older half sister, Terri, was diagnosed with stage 3 lung cancer. Merely 4 months later at 47 years old, Terri died, leaving behind her three boys. **Ms. Rohyans Stewart** said her mom, after burying two daughters, said goodbye to her 8 months later at 67. Even though primary peritoneal and lung cancers are not related, her mom chose to undergo genetic testing to determine whether or not she was a breast cancer carrier. BRCA is the breast cancer gene which can also be associated with primary peritoneal and ovarian cancers. She said that by determining whether or not her mom was a BRCA carrier, she would be able to make decisions regarding whether or not she would seek additional genetic testing. The genetics counselor was so kind in guiding her through this process, but most of all she felt very secure in her substantial knowledge base. Her mom's results revealed she was not a BRCA carrier, thus reducing the risk for hereditary cancers. This was good news, yet her family history of cancer extends well beyond her mom and sister. **Ms. Rohyans Stewart** said her maternal grandmother died from late onset leukemia. Her paternal grandmother died from breast cancer that metastasized to ovarian cancer. Both her father and half brother were diagnosed with bladder cancer, and although neither died from their diagnosis, her brother is still struggling with tumors and treatments.

Ms. Rohyans Stewart shared that seven months ago she and her husband were blessed with an opportunity to pursue adoption of a beautiful five month old baby in foster care. Like her Auntie Becki, their foster daughter, now 13 months old, has Down syndrome and some typical and atypical health concerns, several holes in her heart (repaired in July), feeding concerns, hypothyroidism and hyperparathyroidism. Although all diagnoses have been concerning, the most challenging and atypical

has been that of primary hyperparathyroidism. She and her husband proceeded with testing and several weeks later and with great thanks, they've received notice that their daughter's genetic testing for multiple endocrine neoplasia type 1 (MEN I) and II came back negative, so they can cross these cancer causing genes off the list.

Ms. Rohyans Stewart said in addition to visiting with her about her daughter, Ms. Eichmeyer took the time to talk to her about her family cancer concerns. Now, she is 43 years old and wants to be sure she is healthy for as long as possible for their two beautiful daughters. **Ms. Rohyans Stewart** said that Ms. Eichmeyer patiently heard her story, took judicious notes and talked to her about which cancers are potentially related and which are most concerning. She said she was so impressed with Ms. Eichmeyer's thorough command of the information and data that she felt armed with solid questions and information to take to her physician for future planning.

Ms. Rohyans Stewart summarized and said what she has come to realize is that genetic testing is becoming increasingly complicated every year, and it is touching the lives of more and more people. She is a Certified Child Life Specialist at St. Luke's Children's Hospital and works closely with registered, certified and licensed practitioners every day. She completely appreciates and supports the movement to fully recognize the significant training, skill level, expertise and competence necessary for genetics counselors to properly assist patients and families. Patients and families of Idaho deserve the protection licensure provides when, at this point in time, any unqualified individual may call themselves a genetic counselor.

Ms. Eichmeyer thanked the Committee for considering this bill.

MOTION:

Senator Ward-Engelking moved that **S 1363** be sent to the floor with a **do pass** recommendation. **Senator Goedde** seconded the motion.

Vice Chairman Patrick commented that he had not heard of genetic counselors until recently and he believed there were people who were not qualified, but the \$1,000 application fee was of concern to him. **Senator Cameron** commented he was troubled by the misdemeanor language and did not recall having a misdemeanor penalty for any other license in Idaho. He said the application fee of \$1,000 was too high and needed to be reworked and he opposed the motion.

ROLL CALL VOTE:

Chairman Tippets called for a **roll call vote**. **Senators Goedde, Schmidt, Ward-Engelking** and **Vice Chairman Patrick** voted **aye**. **Senators Cameron, Guthrie, Martin, Lakey** and **Chairman Tippets** voted **nay**. The motion failed.

H 346

Relating to Landscape Architects Registration and Licensing Act was presented by Roger Hales, Bureau of Occupational Licenses. **Mr. Hales** said this bill is brought on behalf of the State Board of Landscape Architects (Board). The Board regulates the practice of landscape architects in the State. This bill provides a benefit to individuals in the process of qualifying for a license as a landscape architect, which requires certain education and passing a national exam. This bill would allow an individual to use the title "Landscape Architect in Training" upon completion of their education. Once they pass the national exam they would qualify for licensure. Current law requires an individual meet the same qualifications for a license in order to use the title "Landscape Architect in Training". There has been no opposition to this bill.

MOTION:

Senator Guthrie moved that **H 346** be sent to the floor with a **do pass** recommendation. **Senator Martin** seconded the motion. The motion carried by **voice vote**. Senator Schmidt will carry this bill on the floor of the Senate.

H 347 **Relating to Idaho Real Estate Appraisers Act** was presented by Roger Hales, Bureau of Occupational Licenses. **Mr. Hales** said the bill is brought on behalf of the Idaho Real Estate Appraisers Board (Board), which regulates the practice of real estate appraisers in the State. The Board and state appraisers are subject to significant federal regulations and oversight and this bill is brought to comply with new federal requirements. New federal law and regulations require that state appraiser licensing boards must run criminal background checks on all new applicants by January 1, 2015. This bill will facilitate the Board's ability to obtain criminal background checks under both the state and federal criminal records systems through the Idaho State Police. There has been no opposition to this bill.

MOTION: **Senator Goedde** moved that **H 347** be sent to the floor with a **do pass** recommendation. **Senator Schmidt** seconded the motion. The motion carried by **voice vote**. Senator Goedde will carry this bill on the floor of the Senate.

H 359 **Relating to Driving Business** was presented by Roger Hales, Bureau of Occupational Licenses. **Mr. Hales** said this bill is brought on behalf of the State Driving Businesses Licensing Board (Board). He said the Board regulates the practice of private driving businesses and instructors in the State. The bill expands the opportunities for Board membership to licensed instructors. Present law limits Board membership to licensed business owners who have at least five years of experience. **Mr. Hales** explained the new law would still require at least one business owner and one public member on the Board. The bill deletes or clarifies language associated with the original Board. This proposed legislation will also allow the Board to waive the apprenticeship requirement for a license as a driver instructor if they possess a license from another state with the same training as Idaho, or have other training and experience. There has been no opposition to this bill.

MOTION: **Senator Guthrie** moved that **H 359** be sent to the floor with a **do pass** recommendation. **Senator Ward-Engelking** seconded the motion. The motion carried by **voice vote**. Senator Martin will carry this bill on the floor of the Senate.

H 360 **Relating to Architects** was presented by Roger Hales, Bureau of Occupational Licenses. **Mr. Hales** indicated that this bill is brought on behalf of the Board of Architectural Examiners (Board) which regulates the practice of architecture in the State. This is a self governing Board made up of practitioners and updates the nationally-administered internship in Idaho Code § 54-302. **Mr. Hales** said the internship is no longer measured in a term of years, but rather is based upon an intern's successful completion of certain modules, and the changes are reflected in this section. This bill updates Idaho Code § 54-303 by clarifying that the Board approves the national examination, but does not conduct it. This bill revises the Board's disciplinary statute in Idaho Code § 54-305 by eliminating the current two-year limitation on the Board's ability to restrict an architect's license who has violated the chapter. Also added in this section are two additional grounds for the discipline of an architectural licensee where the licensee has been disciplined by another state or where the licensee fails to comply with a Board order entered in a disciplinary matter. **Mr. Hales** stressed it is important that the Board be able to discipline an Idaho licensed architect regardless of where their wrongful conduct may have occurred. Additionally, adding a ground for the violation of a Board order is based upon a recent Idaho Supreme Court case which provided that the Board could not discipline a licensee who violated a Board order unless such was a ground for discipline.

Mr. Hales noted the bill revises Idaho Code § 54-307 to eliminate registration of firm names which are no longer necessary or appropriate and was an additional burden upon architects. Specifically, the bill will eliminate Subsection 3 which required firms to submit a sworn statement setting forth and listing all architects of the firm. The

bill updates the electronic seal requirements associated with an architect's seal.

Finally, the bill will eliminate Idaho Code § 54-316 which is the section governing foreign partnership and corporate practice. The Board feels that this regulation is no longer necessary or appropriate. The Board only issues licenses to individual architects. The Board doesn't feel it necessary to regulate the firm in which the architect practices.

Senator Lakey commented he liked the wording on page 3 relating to failure to comply with a board order. **Senator Schmidt** asked for a clarification on page 5, line 2, relating to an original signature. **Mr. Hales** explained that a facsimile or electronic signature would suffice and that an original signature was not necessary.

MOTION:

Senator Lakey moved that **H 360** be sent to the floor with a **do pass** recommendation. **Senator Martin** seconded the motion. The motion carried by **voice vote**. Senator Lakey will carry the bill on the floor of the Senate.

H 363

Relating to Cosmeticians was presented by Roger Hales, Bureau of Occupational Licenses (Bureau). **Mr. Hales** indicated this bill is brought by the Board of Cosmetology (Board) which regulates the practice of cosmetology in the State. This is a self governing Board made up of practitioners of the profession. This bill reduces regulation and clarifies the law.

Mr. Hales said the bill accomplishes three things: adds an exemption, clarifies apprenticeships and clarifies a board member position. First, the bill eliminates regulation of a person practicing upon their relative without compensation, which was brought to the Board's attention by a constituent and their legislator. He commented that no health, safety or welfare concerns were in this bill. Second, the bill clarifies practice of apprentices, which cleans up language so it is easier to understand and follow. Third, the bill clarifies Board member qualifications as it relates to the school representative. **Mr. Hales** explained that Idaho Code § 54-828, regarding Board member appointments, requires that a "currently active cosmetology school representative" serve on the Board. The Board desires to eliminate the inconsistency in Idaho Code § 54-829.

The proposed changes were discussed at a number of open and noticed meetings of the Board. Information was shared with licensees, the State School Association and other stakeholders. There has been no opposition to this bill.

Senator Cameron thanked Mr. Hales, Tana Cory and the Bureau of Occupational Licenses for bringing this bill forward.

MOTION:

Senator Cameron moved that **H 363** be sent to the floor with a **do pass** recommendation. **Senator Schmidt** seconded the motion.

TESTIMONY: **Kris Ellis**, Idaho Health, testified in support of the proposed legislation. She thanked the Board and the Bureau for their efforts.

Tony Smith, Northwest Career College Federation, testified in support of the proposed legislation. He said this was a good example of a negotiated agreement.

The motion carried by **voice vote**. Senator Cameron will carry this bill on the floor of the Senate.

ADJOURNED: There being no further business, **Chairman Tippetts** adjourned the meeting at 2:48 p.m.

Senator Tippetts
Chair

Linda Kambeitz
Secretary