

MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Wednesday, January 21, 2015

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

**PLACE:** Room EW20

**MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Hixon, Perry, Romrell, Vander Woude, Beyeler, Redman, Troy, Rusche, Chew

**ABSENT/  
EXCUSED:** Representative Vander Woude

**GUESTS:** Kristin Guidry, OCC Therapy License Board; Gayla Nickel, Massage Therapy Board; Tana Cory, Bureau of Occupational Licenses; Brian White, IBOL Physical Therapy.

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

**DOCKET NO. 24-1001-1401:** **Roger Hales**, on behalf of the Board of Optometry, presented **Docket No. 21-1001-1401**, changing the licensee continuing education reporting date to a calendar year, instead of birth date. This change is effective January, 2017.

Responding to a question, **Mr. Hale** said the use of the term "he" is not gender specific, as specified in IDAPA. His copy indicates "their" and he will assure that the text is correct. This is part of a full set of rules, which lists the approved courses.

**MOTION:** **Vice Chairman Packer** made a motion to approve **Docket No. 24-0101-1401**.  
For the record, no one indicated their desire to testify.

**VOTE ON MOTION:** **Chairman Wood** called for a vote on the motion to approve **Docket No. 24-0101-1401**. **Motion carried by voice vote.**

**DOCKET NO. 24-1501-1401:** **Roger Hales**, on behalf of the Licensing Board of Professional Counsellors and Marriage and Family Therapists, presented **Docket No. 24-1501-1401**, which updates the counselor code of ethics to conform to the 2014 version of the American Counseling Association Code of Ethics.

**MOTION:** **Rep. Hixon** made a motion to approve **Docket No. 24-1501-1401**.  
For the record, no one indicated their desire to testify.

**VOTE ON MOTION:** **Chairman Wood** called for a vote on the motion to approve **Docket No. 24-1501-1401**. **Motion carried by voice vote.**

**DOCKET NO. 24-2301-1401:** **Roger Hales**, on behalf of the Speech and Hearing Services Licensure Board, presented **Docket No. 24-2301-1401**, to amend the definition of a Board quorum in compliance with 2014 Legislation.

**MOTION:** **Rep. Rusche** made a motion to approve **Docket No. 24-2301-1401**.  
For the record, no one indicated their desire to testify.

**VOTE ON MOTION:** **Chairman Wood** called for a vote on the motion to approve **Docket No. 24-2301-1401**. **Motion carried by voice vote.**

**DOCKET NO. 24-2601-1401:** **Roger Hales**, on behalf of the Board of Midwifery, presented **Docket No. 24-2601-1401**, which contains various changes in compliance with 2014 Legislation. Included are two new definitions, a formulary change, an additional allowable drug, instructions for use of that drug, conditions when a licensed midwife cannot provide care, facilitation of hospital transfers, and transfer or termination of care.

**Mr. Hales** said the Board incurred substantial costs from necessary prosecutions. With 44 licensed midwives, the deficit current balance of \$58,000 is steadily decreasing.

**Molly Steckel**, Idaho Medical Association (IMA), testified that physicians are pleased with how well the collaboration with midwives is working.

**MOTION:** **Rep. Perry** made a motion to approve **Docket No. 24-2601-1401**.

Answering a question, **Mr. Hales** said the wording in the transfer or termination of care section matches that contained in the 2014 Legislation and recognizes the relationship between a provider and patient may be terminated for a personal reason.

**Chairman Wood** asked **Molly Steckel**, IMA, to further answer the question. She said the referenced IMA language covers situations when a midwife wants to transfer care and the patient may feel strongly against that course of action. This gives the midwife protection to pursue alternate care in the best interest of the patient.

**Paul Wiens**, Licensed Midwife, Member, Board of Midwifery, said some clients will not seek medical attention, which leaves their midwife in a tough spot for unattended delivery, which may be perceived as abandoning the clients. They continue to improve and develop relationships with the medical community, keeping out-of-hospital birth safe. Recent CDC statistics ranked Idaho in the top five states per capita for the number of attended home births and second for the number of births attended in birth centers. Midwives are moving to Idaho because we have a good law.

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

**VOTE ON MOTION:** **Chairman Wood** called for a vote on the motion to approve **Docket No. 24-2601-1401**. **Motion carried by voice vote.**

**DOCKET NO. 24-2601-1402:** **Roger Hales**, on behalf of the Board of Midwifery, presented **Docket No. 24-2601-1402**. He noted the Board's deficit of \$79,000 in 2013 was reduced to \$65,000 in 2014 and is currently \$58,000. This Rule was prepared by a consensus of counsel, IMA, and the Board. It relates to conditions surrounding a midwife facilitating the immediate transfer of a newborn to a hospital or consulting with a provider. Open notice Board meetings provided additional comments and changes, with no opposition to the Rule as presented. The Board keeps data on both mother and infant transfers.

**MOTION:** **Rep. Beyeler** made a motion to approve **Docket No. 24-2601-1402**.

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

**VOTE ON MOTION:** **Chairman Wood** called for a vote on the motion to approve **Docket No. 24-2601-1402**. **Motion carried by voice vote.**

**DOCKET NO. 24-2701-1401:** **Roger Hales**, on behalf of the Idaho Board of Massage Therapy, presented **Docket No. 24-2701-1401**. This Rule clarifies continuing education hours and supervision. Reference to light therapy continuing education is eliminated. Supervision is further defined into clinical and field work. Clinical supervision requires direct supervision for on-site direction, while field supervision is not required to be on site, merely available to answer questions. There has been no opposition to the changes.

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

**MOTION:** **Rep. Redman** made a motion to approve **Docket No. 24-2701-1401**. **Motion carried by voice vote.**

- RS 23241:** **Roger Hales**, on behalf of the Board of Massage Therapy, presented **RS 23241**, proposed legislation to add an additional exemption to the law for therapists licensed in other states traveling to Idaho with a team or athlete, as long as they are not in the state for more than sixty calendar days in a year.
- MOTION:** **Rep. Hixon** made a motion to introduce **RS 23241**. **Motion carried by voice vote.**
- RS 23244:** **Roger Hales**, on behalf of the Board of Occupational Therapy, presented **RS 23244**, proposed legislation to eliminate the ten hours of professional development units currently required for license renewal. This type of continuing education is more general training and does not apply directly to occupational therapy, leaving it up to the professional if they attend classes of this nature. There was no opposition to the changes.
- MOTION:** **Vice Chairman Packer** made a motion to introduce **RS 23244**. **Motion carried by voice vote.**
- RS 23245:** **Brian White**, Licensed Physical Therapist, Board Chairman, Board of Physical Therapy, presented **RS 23245**, proposed legislation to add an additional exemption to the law for physical therapists licensed in other states traveling to Idaho with a team or athlete.
- MOTION:** **Vice Chairman Packer** made a motion to introduce **RS 23245**. **Motion carried by voice vote.**
- ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 9:46 a.m.

---

Representative Wood  
Chair

---

Irene Moore  
Secretary