

MINUTES  
**SENATE HEALTH & WELFARE COMMITTEE**

**DATE:** Monday, February 09, 2015

**TIME:** 3:00 P.M.

**PLACE:** Room WW54

**MEMBERS PRESENT:** Chairman Heider, Vice Chairman Martin, Senators Johnson (Lodge), Nuxoll, Hagedorn, Tippetts, Lee and Schmidt

**ABSENT/ EXCUSED:** Senator Lacey

**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 Heider** called the meeting of the Senate Health and Welfare Committee (Committee) to order at 3:08 p.m. and welcomed Kris Ellis to the podium to present the first agenda item.

**RS 23485** **Kris Ellis**, Eiguren Fisher Ellis, public policy group representing the Idaho Psychological Association (IPA), presented **RS 23485**, which is proposed to help solve the mental health care shortage in Idaho. The legislation would allow psychologists to have prescriptive authority, providing they adhere to stringent regulations. They must obtain their doctorate degree in psychology and a master's degree in psychopharmacology. They must also have clinical experience and pass a nationally recognized exam.

The proposed legislation also mandates that a prescribing psychologist must collaborate with the patient's primary care provider. The legislation also grants power to the Idaho Board of Psychological Examiners to establish an advisory panel. There is no impact on the General Fund.

**Ms. Ellis** asked the Committee to print **RS 23485** and stood for questions.

**Senator Nuxoll** asked why a psychologist would not want to become a psychiatrist. **Ms. Ellis** could not give a definitive answer but said there will be experts to answer that question when the bill is presented for a vote. **Senator Nuxoll** said she would like an answer to her question at that time.

**Senator Tippetts** declared a potential conflict of interest, because his son is employed with Eiguren Fisher and Ellis, which represents IPA.

**Senator Johnson** asked how many prescribing psychologists would be added to Idaho with the implementation of this amendment. **Ms. Ellis** said it may take a few years to realize the full benefit, but could potentially add 30 to 35 prescribing psychologists within 10 years.

**MOTION:** **Senator Hagedorn** moved to print **RS 23485**. **Senator Nuxoll** seconded the motion. The motion passed by **voice vote**.

**S 1036** **Susan Miller**, Executive Director, Board of Dentistry (Board), presented **S 1036**, which provides grounds for revocation of a license for convictions of a crime. The proposed amendment would add a requirement that licensees must notify the Board of any felony conviction within 30 days of conviction. She said currently, there is no requirement for a licensee to report such information other than in their initial application or on a biennial renewal application. For that reason, the Board could potentially learn of a felony conviction months after an event.

**Ms. Miller** said in the interest of public safety, the Board feels the 30-day reporting requirement is reasonable. She said the amendment is supported by the Idaho State Dental Association and the Idaho Dental Hygienists Association. **Ms. Miller** asked the Committee to approve **S 1036** and stood for questions.

Questions raised by the Committee focused on when a licensee must report the felony (i.e., upon being charged or after conviction). **Ms. Miller** said the licensee must report the felony after the actual conviction. **Senator Nuxoll** asked if the rule applied to any felony or only those relating to the profession. **Ms. Miller** said the rule would apply to any felony.

**MOTION:** **Vice Chairman Martin** moved to send **S 1036** to the floor with a **do pass** recommendation. **Senator Hagedorn** seconded the motion. The motion carried by **voice vote**.

**S 1037** **Ms. Miller** presented **S 1037**, which amends Idaho Code §§ 54-920 and 54-921 to clarify that failure to renew a license will result in the expiration of the license, and an expired license will be cancelled if not renewed within the 30-day grace period. The rule also establishes the requirement to reinstate a cancelled license if it is cancelled less than two years and provides the requirement to reinstate if the license is cancelled for longer than two years.

**Ms. Miller** reviewed the changes line-by-line. She explained the proposed amendment would provide for two categories under reinstatement: (1) licenses that have been cancelled for less than two years, and (2) licenses that have been cancelled for more than two years. **Ms. Miller** asked the Committee to approve **S 1037** and stood for questions.

**MOTION:** **Senator Schmidt** moved to send **S 1037** to the floor with a **do pass** recommendation. **Vice Chairman Martin** seconded the motion. The motion passed by **voice vote**. Vice Chairman Martin will carry both **S 1036** and **S 1037** on the floor.

**S 1038** **Kandee Yearsley**, Child Support Bureau Chief, Department of Health and Welfare, Division of Welfare (Department), presented **S 1038**, relating to the collection of child support and reimbursement of public assistance.

The proposed change amends Idaho Code § 56-203B to specify that a benefit recipient does not have authority to forgive or receive direct payment of child support during the time they are receiving public assistance.

**Ms. Yearsley** said these requirements could help to reduce or eliminate reliance on future public assistance. She emphasized the amendment applies only to cases in which the family is currently receiving public assistance and the family is relying on taxpayer dollars to meet their needs because the court-ordered party is not paying their support.

**Senator Tippetts** expressed concern the language was not sufficiently explicit. **Ms. Yearsley** called on the Department's Deputy Attorney General for elaboration on the legal terminology.

**Scott Keim**, Deputy Attorney General, assigned to the Department's Child Support Program explained that while an individual is receiving public assistance, child support received is assigned to the State, and they would not have the ability to forgive that. He restated that the inability to forgive child support debt applies only during the time while the individual is on public assistance.

**TESTIMONY:** **Wayne Hoffman**, President of the Idaho Freedom Foundation, testified in opposition to **S 1038**. He expressed the opinion that the language is too restrictive and does not take into consideration the singular issues and needs unique to divorced parents.

**TESTIMONY:** **Bill Litster**, Boise, testifying as a private citizen, spoke in opposition to **S 1038**. He felt the restrictions would not allow divorced couples to work out their own particular difficulties and would be counter to helping the individuals move forward.

**Senator Hagedorn** expressed trepidation with the lines, "any attempt by a public assistance recipient to forgive or satisfy a support judgment shall have no legal effect." He felt the language could be a potential constitutional issue.

**MOTION:** **Senator Hagedorn** moved to hold **S 1038** in Committee. The motion was seconded by **Senator Nuxoll**.

**SUBSTITUTE MOTION:** **Senator Schmidt** moved to send **S 1038** to the 14th Order for amendment. **Senator Lacey** seconded the motion.

**Vice Chairman Martin** said he felt it would be better to hold **S 1038** until the Department can present reworded legislation that addresses the Committee's concerns.

**Chairman Heider** called for a roll call vote. **Vice Chairman Martin** and **Senators Johnson, Nuxoll, Hagedorn, and Tippets** voted nay. **Senators Lee, Schmidt** and **Lacey** voted aye. The motion **failed**.

**Chairman Heider** called for a vote on the original motion. The motion carried by **voice vote**.

**ADJOURNED:** There being no further business, **Chairman Heider** adjourned the meeting at 4:33 p.m.

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Senator Heider  
Chair

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Erin Denker  
Secretary

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Jeanne' Clayton  
Assistant