

MINUTES
SENATE HEALTH & WELFARE COMMITTEE

DATE: Wednesday, February 18, 2015

TIME: 3:00 P.M.

PLACE: Room WW54

MEMBERS PRESENT: Chairman Heider, Vice Chairman Martin, Senators Nuxoll, Hagedorn, Tippetts, Lee and Schmidt

ABSENT/ EXCUSED: Senators Lodge and 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 to order at 3:00 p.m. and welcomed all in attendance.

PRESENTATION: **Megan R. Williams**, MDA, RDN, LD, CDE, licensed registered dietitian nutritionist and certified diabetes educator, introduced herself and Dr. Samantha A. Ramsay, who took the podium.

Dr. Samantha A. Ramsay, PhD., RDN, LD, President of the Idaho Academy of Nutrition and Dietetics (Academy), thanked the Committee for its support of the Senate Concurrent Resolution passed in 2013 which sanctioned the credentials of registered dietetic nurses (RDNs) and presented an update on the Academy (see attachment 1). This resolution has made it possible for RDNs to have their skills recognized as a valuable part of disease and treatment prevention. She said there are 600 licensed RDNs and dietetic students in all 35 legislative districts of Idaho. The Academy has been very successful with its focus on the wellbeing of Idahoans.

Ms. Williams took the podium to describe the results of a recent study which emphasized the importance of proper medication and lifestyle counseling in combating chronic diseases such as diabetes and obesity. She said RDNs are in a unique position to manage the prevention and treatment of those diseases.

Dr. Ramsay concluded the presentation with an update on the Center for Medicaid/Medicare Services' (CMS) ruling. This ruling allows for RDNs to order diet and lab tests independently. She said the Academy has created a diet manual for use in health care facilities and is working closely with the Idaho Board of Medicine to ensure regulatory compliance.

Vice Chairman Martin asked Ms. Williams about educational requirements.

Ms. Williams said the requirements include a four-year bachelor's degree in an accredited program, admittance to an internship through the national governing agency, and passing a national standardized exam. **Ms. Williams** added that a master's requirement will be mandated by 2024. **Vice Chairman Martin** also asked about salary levels. **Dr. Ramsay** said salaries range from \$30,000 to \$90,000, depending on location and nature of work.

Senator Nuxoll asked what the CMS rule is. **Dr. Ramsay** stated that it is a rule through the Centers for Medicare/Medicaid Services, which is the federal governing agency on to track medical care. She said she would provide the information Senator Nuxoll requested.

Senator Hagedorn asked how hospitals and doctors would pay for RDNs' services and if models for payment had been established. **Dr. Ramsay** said revenue source is a challenge, but some models, such as charging a monthly fee, are in place.

Chairman Heider thanked Ms. Williams and Dr. Ramsay for their presentations.

H 25

Relating to Physical Therapy: Brian White, Chairman of the Board of Physical Therapy (Board), stated **H 25** would add an exemption for individuals to practice physical therapy in the State. This exemption would allow those licensed in another jurisdiction to travel to Idaho and provide physical therapy for a performing arts company visiting Idaho or for an athletic event, team or athlete competing in Idaho. This bill would allow therapists to practice in the State for no less than 60 days without consequence (see attachment two).

Senator Schmidt asked if the Board would be cataloguing who would qualify for this exemption. **Mr. White** answered that no mechanism had yet been developed for such monitoring. A discussion was held relative to the 60-day limit and **Mr. White** explained the details. **Senator Tippetts** expressed concern that an out-of-state licensed therapist might set up an office in Idaho. Mr. Hales, an administrative attorney, was asked to respond. **Mr. Hales** replied that the statute would not allow that scenario.

Senator Hagedorn asked if there was a code defining more closely the organizations that would exempt their therapists. **Mr. White** said he was not aware of a code to define those organizations. **Mr. Hales** agreed there is not a code to define these organizations but said the Board is attempting to recognize such occurrences under limited circumstances. A discussion ensued on language and time frame.

MOTION:

Senator Tippetts moved to send **H 25** to the floor with a **do pass** recommendation. **Senator Martin** seconded the motion. The motion carried by **voice vote**. Vice Chairman Martin will carry **H 25** on the floor.

H 23

Relating to Massage Therapy: Roger Hales, administrative attorney for the Massage Therapy Board, presented **H 23**. The legislation would allow those licensed in another jurisdiction to travel to Idaho and provide massage therapy for an athletic event, team or athlete competing in Idaho or performing arts companies performing in Idaho for no more than 60 calendar days (see attachment 3). **Mr. Hales** described the bill and said the wording was written by Legislative Services. He said there had been no opposition to the bill after discussion in several meetings.

Senator Schmidt asked if any physical or massage therapists had ever been prosecuted for practicing without a license. **Mr. Hales** stated he was not aware of such an occurrence.

MOTION:

Vice Chairman Martin moved to send **H 23** to the floor with a do pass recommendation. **Senator Nuxoll** seconded the motion. The motion carried by **voice vote**. Vice Chairman Martin will carry the bill on the floor.

H 24

Relating to Occupational Therapy: Roger Hales, administrative attorney on behalf of the Idaho Occupational Therapy Licensure Board (Board), presented **H 24**. **Mr. Hales** stated that this bill reduces regulation by eliminating a licensee's obligation to obtain 20 professional development hours every two years for license renewal. He said this change will save licensees both time and money. Professional development education typically assists licensees in their development as a professional, while continuing education addresses a licensee's continued competence to practice. He emphasized licensees would still be required to obtain 20 hours of continuing education every two years under the existing rules (see attachment 4). He said there has been no opposition to the bill.

Senator Tippets asked the difference between professional development units and continuing education units. **Mr. Hales** explained the difference and said the Board felt the required 20 hours of professional development were unnecessary. He reiterated the continuing education rules will still be required.

MOTION: **Senator Schmidt** moved to send **H 24** to the floor with a **do pass** recommendation. **Senator Lee** seconded the motion. The motion carried by **voice vote**. Senator Schmidt will carry **H 24** on the floor.

ADJOURNED: **Chairman Heider** thanked everyone for their attendance and participation. There being no further business, the meeting adjourned at 4:03 p.m.

Senator Heider
Chair

Erin Denker
Secretary

Sharon Pennington
Assistant Secretary