

MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Monday, February 15, 2016

**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:** None

**GUESTS:** Jeff Morrell, Intermountain Hospital; Elizabeth Criner, NWFPA; Jeremy Pisca, Kootenai Health; Erin Bennett, AHA/ASA; Toni Lawson, Idaho Hospital Assoc.

**Vice Chairman Packer** called the meeting to order at 9:01 a.m.

**RS 24485:** **Rep. John Rusche**, District 6, presented **RS 24485**, proposed legislation to add electronic cigarettes to the existing tobacco sales registration process in order to better understand sales. The Department of Health and Welfare (DHW) costs to add these retailers to the existing registry would not exceed \$100 for printing and distributing forms.

Answering committee questions, **Rep. Rusche** said registration provides database information that can identify underage sales. The signs displayed for illegal sales to minors will include electronic cigarettes. The tax commission only receives a total retailer's sales dollar amount.

**Rep. Vander Woude** declared Rule 38 and stated he will be voting on the legislation.

**MOTION:** **Rep. Perry** made a motion to introduce **RS 24485. Motion carried by voice vote.**

**RS 24502:** **Jeff Morrell**, CEO, Intermountain Hospital, presented **RS 24502**, which is a technical change to clarify the state reimbursement and matching federal funds.

**MOTION:** **Rep. Redman** made a motion to introduce **RS 24502. Motion carried by voice vote.**

**RS 24495:** **Elizabeth Criner**, on behalf of the Northwest Food Processors Organization, presented **RS 24495**, designating the Idaho State Department of Agriculture (ISDA) as the state authority for non-retail activities subject to the U.S. Food and Drug Administration (FDA) Food Safety Modernization Act (FSMA). The DHW will continue to cover retail activity. Allowance is made for the food processors food safety oversight and inspections during the transition from the DHW to the ISDA.

**MOTION:** **Rep. Romrell** made a motion to introduce **RS 24495.**

**Ms. Criner**, responding to committee questions, stated the DHW has food sales oversight through the health districts. The FDA has wholesale food oversight, with backup oversight by the DHW. This is better handled by the ISDA's level of expertise.

**VOTE ON MOTION:** **Chairman Packer** called for a vote on the motion to introduce **RS 24495. Motion carried by voice vote.**

**Chairman Packer** turned the gavel over to **Chairman Wood.**

**H 438:** **Jeremy Pisca**, Attorney, Rische Pisca Law Firm, on behalf of the Kootenai Health Medical Center, presented **H 438**. This legislation gives hospital taxing districts the ability and option to appoint up to two additional board members, with terms not to exceed six years. This allows specialist recruitment to fill a board's specific need, when no one wishes to stand for election. County, non-profit, and for-profit hospitals already have this ability. It also eliminates the costs associated with hiring consultants.

**MOTION:** **Rep. Redman** made a motion to send **H 438** to the floor with a **DO PASS** recommendation.

Responding to committee questions, **Mr. Pisca** said the board determines term length, which could be less than six years. Removal from the board is not contained within the bill. Board decisions include statutory obligations, hospital operations, and lawsuits. Small hospitals may not find this option advantageous.

**Toni Lawson**, Vice President, Governmental Relations, Idaho Hospital Association, testified **in support** of **H 438**. All district hospitals were surveyed and were in favor of this option, although not all thought they would utilize it. Answering committee questions, Ms. Lawson said hospital issues are more complex and require more areas of expertise. This is seen as a tool to better manage their facilities.

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

**Reps. Vander Woude, Troy, Hixon, and Chew** commented **in opposition** to the motion. They expressed concern regarding unelected board officials appointed to the boards on a continuing basis, not reflecting the district as elected officials would, and the lack of any process for removal from the board.

**Reps. Rusche, Redman, and Wood**, commented **in support** of the motion. The taxing district hospitals have become more complex since they began. This provides an avenue to acquire expertise without restructuring or paying consulting fees.

**SUBSTITUTE MOTION:** **Rep. Vander Woude** made a substitute motion to **HOLD H 438** in committee.

**AMENDED SUBSTITUTE MOTION:** **Rep. Beyeler** made an amended substitute motion to **HOLD H 438** for time certain, February 23, 2016.

**ROLL CALL VOTE ON AMENDED SUBSTITUTE MOTION:** **Chairman Wood** called for a roll call vote on the amended substitute motion to **HOLD H 438** for time certain, February 23, 2016. **Motion carried by a vote of 6 AYE, 4 NAY, 1 Absent/Excused. Voting in favor** of the motion: **Reps. Wood, Perry, Romrell, Beyeler, Redman, Rusche. Voting in opposition** to the motion: **Reps. Hixon, Vander Woude, Troy, Chew. Rep. Packer was absent/excused.**

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 9:57 a.m.

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Representative Packer  
Chair

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Irene Moore  
Secretary

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Representative Wood  
Chair