

MINUTES
SENATE HEALTH & WELFARE COMMITTEE

DATE: Wednesday, February 24, 2016

TIME: 3:00 P.M.

PLACE: Room WW54

MEMBERS PRESENT: Chairman Heider, Vice Chairman Nuxoll, Senators Lodge, Hagedorn, Martin, Lee, Harris, Schmidt and Jordan

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 Heider** called the meeting of the Senate Health and Welfare Committee (Committee) to order at 3:02 p.m.

HCR 034 **Relating to Community Water Fluoridation. Representative Kelley Packer** presented this House concurrent resolution.

Representative Packer stated that this resolution celebrates 70 years of the successful public effort to fluoridate water. She reviewed the history of fluoridation and Idaho's role in this process. Noting that some organizations argue that there are dangers associated with fluoride intake, **Representative Packer** stated that her research regarding fluoride did not identify any studies conducted in a controlled environment that proved fluoride intake relates to harmful side effects, medical issues or cancer.

TESTIMONY: **Chairman Heider** invited testimony.

Regina Bayer, Idaho citizen, read her written testimony opposing this House concurrent resolution (see attachment 1). **Ms. Bayer** indicated her belief that most of the statements in the resolution were erroneous. She discussed the water fluoridation process and stated that fluoridation is not a safe practice, particularly for those who have health conditions. She argued that fluoridated water can cause or contribute to a range of serious effects. **Ms. Bayer** stated that fluoride is considered a drug by the Food and Drug Administration (FDA). She argued that adding fluoride into the water violates a person's right to informed consent. She then reviewed several studies related to fluoride use. In conclusion, **Ms. Bayer** asked the Committee not to encourage community water fluoridation.

Senator Martin asked Ms. Bayer to indicate who her son was. **Ms. Bayer** noted that she speaks on her own behalf. **Chairman Heider** asked if she was Senator Bayer's mother. **Ms. Bayer** replied that she was. **Senator Hagedorn** commented that she is also former Representative Bayer's wife.

Dr. Steve Bruce, Dentist and Legislative Chairman of the Idaho State Dental Association, testified in support of this resolution. He commented that he has practiced dentistry for 39 years and fluoride has been a great benefit for his patients. He indicated that there are more than 125 national and international organizations that support fluoridation of water, including the American Dental Association, the American Medical Association, the Centers for Disease Control and Prevention (CDC), the American Academy of Pediatrics, the National Dental Association, the Hispanic Dental Association and the World Health Organization.

Dr. Bruce commented that scientifically sound and peer-reviewed studies support the efficacy and safety of water fluoridation, while studies that are not peer-reviewed are critical of water fluoridation. The optimal level of fluoridation in water is 0.7 parts per million. At one time there were 12 to 14 parts per million of fluoride in the water in Bruno, Idaho. Residents' teeth were brown, but they rarely experienced dental decay. **Dr. Bruce** pointed out that in order for a person to receive a toxic dose of fluoride from drinking water, that person would have to consume approximately 10,000 8-ounce glasses in a short period of time.

Dr. Bruce indicated that topical fluoride is depleted relatively quickly, whereas systemic fluoride (fluoridated water) is particularly effective for children from ages zero to six. In conclusion, **Dr. Bruce** argued that fluoridation of water is a benefit to all Idahoans.

Senator Hagedorn asked at what level fluoride becomes toxic to an individual. **Dr. Bruce** responded that there is a number, but he cannot recall the exact amount of a toxic dose. He commented that a significant amount of fluoride is required to reach toxicity. **Senator Hagedorn** asked if it is possible for a person to reach a level of fluoride toxicity in a day or a week from the cumulative effect of using fluoride in water, toothpastes and tooth whiteners. **Dr. Bruce** replied that he doubted that a person would be able to reach toxicity within a day or a week. He noted that topical fluorides from the dentist are more concentrated with fluoride, but are only available by prescription.

Representative Packer reminded the Committee that this House concurrent resolution is not a mandate to fluoridate water. She discussed the natural occurrences of fluoride. In conclusion, **Representative Packer** stated that the purpose of the resolution is to recognize Oakley, Idaho, and the entire State, for the roles they have played in fluoride awareness.

MOTION:

There being no more questions, **Senator Lodge** moved to send **HCR 034** to the floor with a **do pass** recommendation. **Senator Schmidt** seconded the motion.

Vice Chairman Nuxoll commented that there were facts presented on both sides and the question becomes which facts are correct. She indicated that she is not convinced of the merits of the resolution.

The motion carried by **voice vote**. **Vice Chairman Nuxoll** asked to be recorded as voting nay. Senator Lee will carry the bill on the floor of the Senate.

PRESENTATION:

Report of the Idaho Criminal Justice System. **Sara Thomas**, State Appellate Public Defender and Chair of the Governor's Idaho Criminal Justice Commission (Commission), made this presentation to the Committee (see attachment 2).

Ms. Thomas reviewed the Commission's vision, mission and values. The Commission was originally created by executive order in 2005 and each Governor thereafter has continued the Commission. All three branches of government are represented on the Commission and **Ms. Thomas** reviewed the membership.

Ms. Thomas explained that the Commission has a three year strategic plan that is updated annually to achieve the goals set by the Governor. **Ms. Thomas** reviewed and discussed the three primary goals of the Commission: (i) to combat crime and protect citizens, (ii) to provide policymakers and criminal justice decision makers with accurate information and (iii) to promote efficiency and effectiveness of the criminal justice system. **Ms. Thomas** informed that Committee that the Commission has multiple subcommittees that address detailed topics, including (i) pre-trial justice, (ii) a standardized recidivism definition, (iii) mental health (see attachment 3), (iv) research alliance, (v) criminal fees and fines and (vi) sex offense statutes review.

Chairman Heider asked the Committee members if they had any questions.

Noting that Ms. Thomas' presentation referenced WITS and SUDs, **Senator Hagedorn** asked if she could clarify what those terms mean. **Ms. Thomas** replied that WITS stands for "Web Infrastructure for Treatment Services." This is a data program that includes information regarding individuals who receive mental health or substance abuse treatment. The second acronym "SUDs" stands for "Substance Use Disorders." SUDs funding was originally housed in the Department of Health and Welfare, but has since been divided up among the Department of Health and Welfare, Idaho specialty courts and juvenile corrections.

Senator Schmidt asked if the white paper on mental illness (see attachment 3) was distributed to the entire legislature. **Ms. Thomas** answered that it was only provided to the Governor, the Committee, the House Health and Welfare Committee and both Senate and House judiciary committees. **Senator Schmidt** commented that the Justice Reinvestment (JRI) Oversight Committee would benefit from the recommendations in the white paper. **Ms. Thomas** stated that she will get a copy of the white paper to the JRI Oversight Committee.

Senator Jordan asked if the Commission has been able to access and review the behavioral health treatment history of juvenile offenders. **Ms. Thomas** indicated the Commission's Capstone Project is designed to review that specific issue. There are still issues with obtaining Memorandums of Understanding (MOU) between the different groups that may share this type of information, but the Commission hopes to get the MOU issues resolved.

Chairman Heider asked how long information from body cameras is kept and if it can be stored. **Ms. Thomas** answered that it varies among law enforcement departments. There are no statewide standards. She indicated that there are many legal issues involved with body cameras that need to be addressed. She noted that storage costs for this information are huge.

ADJOURNED: There being no further business, **Chairman Heider** adjourned the meeting at 4:02 p.m.

Senator Heider
Chair

Karen R. Westbrook
Secretary

Michael Jeppson
Assistant