

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Thursday, February 23, 2017

TIME: 8:30 A.M.

PLACE: Room EW20

MEMBERS: Chairman Wood, Vice Chairman Packer, Representatives Hixon, Perry, Vander Woude, Redman, Gibbs, Blanksma, Hanks, Kingsley (Lohman), Zollinger, Chew (Gill), Rubel

**ABSENT/
EXCUSED:** None

GUESTS: Ryan Fitzgerald, Corey Matthews, Joe Betz, and Lynn Hansen, IACP; Greg Casey, Veritas Advisors; Susie Pouliot, Id Medical Assn.; Stefanie Fry, St. Luke's Hospital; Russ Barron, DHW

Chairman Wood called the meeting to order at 8:30 a.m.

MOTION: **Rep. Redman** made a motion to approve the minutes for the February 15, 16, and 17, 2017, meetings. **Motion carried by voice vote.**

RS 25315: **Rep. Christy Perry**, District 11, presented **RS 25315**, a Concurrent Resolution to allow the Legislative Council to enable an interim committee to continue the study of the foster care program. The committee will consider issues not adequately addressed by the 2016 interim committee, including consequences of changes, judiciary feedback, review and understanding of the terms "consider" and "best interest of the child" when dealing with placements, visitation schedules set at shelter hearings, and the Office of Performance Evaluation (OPE) report.

The OPE report highlighted the need to recruit and retain foster parents. It also recommended and challenged the Department of Health and Welfare's consideration of a grievance and oversight committee. The OPE 2005 foster care study had no follow up, which led to the continuance of problems mentioned at that time.

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

MOTION: **Vice Chairman Packer** made a motion to introduce **RS 25315** and recommend it be sent directly to the Second Reading Calendar. **Motion carried by voice vote.** **Rep. Perry** will sponsor the bill on the floor.

H 195: **Ryan Fitzgerald**, on behalf of the Idaho Association of Chiropractic Physicians, presented **H 195**. Prior to 2008 Idaho chiropractors had been providing intravenous (IV) and injectable nutrition to their patients. The Federal Drug Administration (FDA) prescription definition was changed to include any substance injected into the body. As a result, Idaho chiropractors lost the ability to provide IV and injectable nutrition to their patients.

The Legislation establishes a standardized post-doctoral education accredited by the U.S. Department of Education, which, after successful completion, will allow a chiropractor to obtain a certification in clinical nutrition from the Idaho State Board of Chiropractic Physicians.

A stated formulary will be developed outlining a very specific and limited list of vitamins, minerals, sterile fluids, and emergency substances to be utilized by chiropractors holding the certification in clinical nutrition.

Patient safety during treatment will be ensured through standards, including following specific FDA dosing requirements. Nutritional substances must be purchased from a distributor licensed by the Idaho Board of Pharmacy. Other requirements include informed patient consents, and maintenance of basic lifesaving equipment.

The State Board of Chiropractic Physicians is directed to establish continuing education requirements and skill recertification guidelines. A certification fee will be established to provide income to the State Board of Chiropractic Physician's dedicated fund to cover the cost of application review.

Answering a question, **Mr. Fitzgerald** said the life saving equipment would consist of oxygen, epinephrine, paddles, and anything else established by the Board.

Dr. Cory Matthews, Chiropractic Physician, testified **in support** of **H 195**. Nutrition has always been an important part of their scope of practice. He is willing to return to school to meet the certification standards. This Legislation allows use, assures appropriate education, and provides oversight and safety standards for safe, effective, non-addictive treatments for patients.

Answering a question, **Dr. Matthews**, said after the FDA change, cease and desist notices were sent out, halting the practice in offices. In order to provide this service, a physician's assistant must be hired or the patient must be referred.

Dr. Joe Betz, Board Member, Idaho Association of Chiropractic Physicians, testified **in support** of **H 195**. Chiropractic Physicians have taken focused training to apply these treatments. Restoration returns the public's right to choose this type of alternative healthcare. Responding to a question, he said safety measures were recommended by the Board of Pharmacy as basic instruments to address any rare circumstances.

Susie Pouliot, Idaho Medical Association (IMA), testified **in opposition** to **H 195**. Each provider must work at the top of their scope of practice, with expansions through proven and evidenced-based methods of clinical practice. This Legislation exceeds the generally accepted definition of chiropractic care, with little scientific evidence of benefits and potential harm.

In answer to a question, **Ms. Pouliot** said the methods and therapies used by physicians are based on peer-reviewed scientific evidence, clinical trial, and study. These therapies lack the same sort of rigorous study.

Stephanie Fry, Physician, IMA, testified **in opposition** to **H 195** based on patient safety concerns. The FDA regulation of injectables was a result of associated dangers and potential complications, including immediate allergic reaction and long term complications. This practice is not allowed in other states for a reason.

Responding to committee questions, **Dr. Fry**, stated serious allergic reactions can lead to cardiac arrest. CPR training and oxygen may not cover the scope of the potential problems. She is aware of serious organ complications which have arisen from receiving chronic intravenous vitamins.

Appropriate training needs to be in keeping with the Boards of Medicine and Nurse Practitioners requirements for intravenous injectables in an office setting. Iodine administered in oral or IV form can lead to significant thyroid abnormalities. Informed consent does not adequately protect the patient or public safety.

Alex Adams, Executive Director, Idaho State Board of Pharmacy, was invited to answer a question. The listed substances must be used within the FDA dosage and in accordance with the manufacturer instructions.

Dr. Lynn Hansen, Chiropractor, Emergency Medical Technician (EMT), testified **in support of H 195**. As an EMT, a profession upon which doctors rely, he learned advanced life saving techniques with little training. Chiropractors today have advanced post doctoral training. The safety of their patients is paramount. Vitamins are natural aids for people who cannot take oral vitamins. They are given in micro-doses so the body can absorb them and start regulating itself.

MOTION: **Rep. Redman** made a motion to send **H 195** to the floor with a **DO PASS** recommendation.

Answering questions, **Dr. Hansen**, said the basic pharmacological training goal assures safety is first and the chiropractor is held to the highest accountability. Although school curriculums differ, they learn as much as possible about nutritional side effects. They do not advise any patient to stop taking any medical prescriptions.

Responding to committee questions, **Ryan Fitzgerald** stated every chiropractic core curriculum is 250 hours. The required additional training lists specific classes, for an additional 100 hours, to learn about drug interactions, safety issues, life saving requirements, and doing injections.

Dr. Joseph Iaccino, Western States University, Teacher, Masters Program, Human Nutrition, Chiropractor, Idaho, **Dr. Noah Edvalson**, Chiropractor, and **Dr. James Kranz**, Chiropractor, Acupuncturist, testified **in support of H 195**. This is micro-nutrient therapy, not scheduled drugs, which is a lot safer. Mixed nutrients work in a synergistic way at non-toxic levels. Tests help determine which patients are candidates for this therapy. The licensed chiropractic physicians have an extensive education that includes 120 hours of didactic and clinical upgrades.

Misty Gardner Karlfeldt, Health Freedom Idaho, shared her experience when medical help was not a choice and nutritional IV therapy saved her life and removed her need for all medications.

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

Reps. Hixon, Hanks, Perry, Packer, and Chairman Wood, commented **in support** of the motion. This will improve patient choice and broaden the chiropractic scope of practice. This requires continued education. Prior to the FDA changes, there was no violation of any law for these therapies. The FDA changes include sterile water injections. Transparency in alternative healthcare assures public safety.

VOTE ON MOTION: **Chairman Wood** called for a vote on the motion to send **H 195** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Redman** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 10:04 a.m.

Representative Wood
Chair

Irene Moore
Secretary