

MINUTES  
**SENATE HEALTH & WELFARE COMMITTEE**

**DATE:** Friday, March 17, 2017

**TIME:** 1:00 P.M.

**PLACE:** Room WW54

**MEMBERS PRESENT:** Chairman Heider, Vice Chairman Souza, Senators Martin, Lee, Harris, Agenbroad, Foreman, and Jordan

**ABSENT/ EXCUSED:** Senator Anthon

**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 12:56 p.m.

**APPROVAL OF MINUTES:** **Vice Chairman Souza** moved to approve the Minutes of the March 9, 2017 meeting. **Senator Martin** seconded the motion. The motion carried by **voice vote**.  
**Senator Martin** moved to approve the Minutes of the March 13, 2017 meeting. **Vice Chairman Souza** seconded the motion. The motion carried by **voice vote**.

**S 1191** In anticipation of the referral of **S 1191**, the Committee held a hearing. **Relating to Dietitians. Anne Lawler**, Executive Director of the Board of Medicine (Board), introduced herself to the Committee. The purpose of the bill is to update the Dietetic Practice Act. A concern arose in Senate floor debate about a previous version of the bill that allowed the Board to assess costs and attorney's fees to a licensee in a disciplinary proceeding. After meeting with some Senators who expressed that concern, the Board made changes, and this bill is the result.

**Ms. Lawler** explained language was deleted pertaining to "driving under the influence," along with provisions authorizing the Board of Medicine to impose a fine and assess costs and attorney's fees against a dietitian for a disciplinary action. Those provisions had originally been added to be consistent with the Medical Practice Act. However, the Board believes that updating the scope of practice for the dietitians is more important than retaining that language.

**Senator Jordan** referred to page 9, Idaho Code § 54-3511 pertaining to penalties. She inquired if Ms. Lawler had discussed this provision with any of the Senators and if the language is consistent with other medical practice legislation. **Ms. Lawler** replied that topic did not come up in her discussions, but it is consistent with the other medical acts. In addition, that provision only applies to a criminal violation, and it would generally pertain to unauthorized use of the term "dietitian" or unlicensed practice. The Board is required to report such violations to the county prosecutor.

**Vice Chairman Souza** moved to send **S 1191** to the floor with a **do pass** recommendation. **Senator Martin** seconded the motion. The motion carried by **voice vote**.

**ADJOURNED:** There being no further business at this time, **Chairman Heider** adjourned the meeting at 1:05 p.m.

**ADDENDUM:** Following the referral of **S 1191** on March 20, 2017, the bill was buck slipped.

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Senator Heider  
Chair

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Jeanne Jackson-Heim  
Secretary