

MINUTES
SENATE HEALTH & WELFARE COMMITTEE

DATE: Tuesday, February 06, 2018

TIME: 3:00 P.M.

PLACE: Room WW54

MEMBERS PRESENT: Chairman Heider, Vice Chairman Souza, Senators Martin, Lee, Harris, Agenbroad, Foreman, Potts, 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 Health and Welfare Committee (Committee) to order at 3:00 p.m.

APPROVAL OF MINUTES: **Senator Lee** moved to approve the Minutes of January 23, 2018. **Vice Chairman Souza** seconded the motion. The motion carried by **voice vote**.

H 0354 **Uniform Controlled Substances.** **Representative Perry** stated that this bill requires that opioid antagonists, known by the names NARCAN and Naloxone, be entered into the Idaho Prescription Monitoring Program (PMP). **Representative Perry** explained that this will allow providers to make informed decisions regarding patient care. She noted that this bill will not require any changes to the PMP, which is already in use by Idaho health care providers.

DISCUSSION: **Vice Chairman Souza** asked why it would be helpful to track the use of opioid antagonists. **Representative Perry** explained that it will allow for a better understanding of Idaho's prescription habits. She noted that she would like physicians to prescribe opioid antagonists when prescribing opioids. The American Medical Association also recommends co-prescription of these substances.

MOTION: There being no more testimony or questions, **Senator Harris** moved to send **H 0354** to the floor with a **do pass** recommendation. **Senator Lee** seconded the motion. The motion carried by **voice vote**. Senator Harris will carry this bill on the floor of the Senate.

PASSED THE GAVEL: Chairman Heider passed the gavel to Vice Chairman Souza.

S 1248 **Organ Donation Notification.** **Chairman Heider** explained this bill facilitates more rapid notification of organ donation services when a fatality has occurred. He requested that the bill be sent to the 14th Order so that a mistake in the language could be amended. **Chairman Heider** introduced Wayne Denny, the Bureau Chief of the Bureau of Emergency Medical Services (EMS) and Preparedness within the Idaho Department of Health and Welfare (DHW). **Mr. Denny** stated that this bill eliminates the requirement that first responders search deceased individuals for an organ donation card before notifying organ donation services. He noted that first responders are sometimes unable to locate an organ donation card, which can delay the process of harvesting organs.

Mr. Denny explained that this bill directs first responders to contact their local dispatch centers when a fatality occurs. He proposed amending the bill to identify the Idaho State EMS Communications Center (StateCOMM) as the proper contact.

DISCUSSION: **Senator Foreman** asked if this bill eliminates the requirement for first responders to search deceased individuals for a donor authorization card. He asked when officials will determine an individual's organ donor status. **Mr. Denny** explained that first responders often find documentation of an individual's donor status once they reach a hospital. If no organ donation authorization is found, law enforcement can access a database which includes organ donor status information. **Mr. Denny** noted that individuals who are not authorized organ donors can posthumously become a donor if family members provide consent. He asserted that notifying organ donor services as soon as possible is vital for successful donation.

Vice Chairman Souza asked if this bill is intended to reduce the time it takes to transport a deceased individual to a hospital, thereby increasing the likelihood that the individual's organs and/or tissues are viable for donation. **Mr. Denny** responded in the affirmative. He noted that the purpose of the bill is to ensure that organ donor services do not miss opportunities for organ donation.

Senator Lee asserted that this bill seems to indicate a shift from an opt-in policy to an opt-out policy. She noted that the current process requires people to choose to participate in the organ donation program. Under the proposed legislation, first responders would act as though all individuals are organ donors, and individuals who are not would be filtered out. She asked if **Mr. Denny** agreed. **Mr. Denny** explained that he did not view the policy as an opt-in/opt-out policy. He expressed concern that the current policy does not honor organ donor's wishes, as notification of organ donor services can occur too late to allow for successful organ harvesting. **Senator Lee** reiterated that this bill indicates a shift toward an opt-out policy. She noted that she would like to amend the bill to include a section regarding due diligence.

Senator Foreman stated that he would like to amend the bill to require a quick search for a donor authorization card to ensure that mistakes are not made. **Mr. Denny** stated that he hoped to amend the bill to include language that will please everyone. **Vice Chairman Souza** inquired as to what such language would entail. **Mr. Denny** stated that he would consider the Committee's feedback when developing new language for the bill. **Vice Chairman Souza** asked if **Mr. Denny** intended to add language indicating that victims would be transported to a hospital as quickly as possible while StateCOMM is notified and the individual's donor status is researched. She then asked if information regarding organ donor status is stored in a database. **Mr. Denny** responded in the affirmative.

Senator Potts asserted that the bill does not permit harvesting the organs of individuals who are not organ donors. He expressed support for the language in the bill and noted that officials will still verify whether an individual is an organ donor.

MOTION: **Senator Martin** moved to send **S 1248** to the **14th Order** for amendment. **Senator Lee** seconded the motion.

TESTIMONY: **Marty Durand** introduced herself as a recipient of a kidney transplant. She expressed support for **S 1248**, **S 1249**, and **S 1250**. She noted that there are currently 95,466 Americans on the kidney transplant waiting list and around 3,000 people are added each month. **Ms. Durand** stated around 13 individuals on the kidney transplant waiting list die each day. The average waiting time for receiving a kidney transplant is three to five years. **Ms. Durand** also stated that, on average, patients who receive a kidney transplant live longer than those on dialysis.

VOICE VOTE: The motion to send **S 1248** to the **14th Order** carried by **voice vote**.

S 1249 **Education and Organ Donation.** **Chairman Heider** emphasized the importance of organ donation. He explained that this bill would require postsecondary institutions that receive State funding to notify all students on the option to register as organ donors. The notice would be delivered twice per year and would include instructions on how to register as a donor. **Chairman Heider** noted that many college students do not have a driver's license; therefore, they may be unaware that they can register as a donor.

DISCUSSION: **Senator Lee** asked if there will be penalties for colleges/universities that do not notify students as required by this bill. **Chairman Heider** stated that there will no penalties for colleges/universities that do not notify students of the option to be an organ donor.

Senator Lee asked if the Division of Public Health would be responsible for creating a standardized notification to be sent to all students. **Chairman Heider** stated that colleges/universities will be instructed to notify their students of the option to become an organ donor; if the institutions choose not to do so, they will not be penalized. **Senator Lee** asked who would provide the information to be included in the notice to the colleges/universities. She asked if the notice would be standardized. **Chairman Heider** noted that this was not included in the legislation. However, he asserted that it would be possible to standardize the notice.

MOTION: There being no more testimony or questions, **Senator Lee** moved to send **S 1249** to the floor with a **do pass** recommendation. **Senator Jordan** seconded the motion. The motion carried by **voice vote**. Chairman Heider will carry the bill on the floor of the Senate.

S 1250 **State Employees and Organ Donation.** **Chairman Heider** explained that **S 1250** requires the Idaho Division of Human Resources or other appropriate agency to notify State employees of the benefits they receive if they donate an organ. The notification would be sent in April, which is National Donate Life Month. State employees are entitled to five days of leave for bone marrow donation and thirty days of leave for organ donation. The employee must provide documentation that they are serving as a donor.

DISCUSSION: **Vice Chairman Souza** asked if the leave days for donation are paid leave days. **Chairman Heider** responded in the affirmative.

Senator Agenbroad asked why notification of benefits is necessary. **Chairman Heider** responded that notifying employees will ensure that they are aware of the benefits they receive if they donate an organ or bone marrow. He asserted that this will encourage organ donation.

Senator Martin asked if State employees take sick leave when they donate organs. **Chairman Heider** clarified that the purpose of this bill is to notify State employees of the existing benefits for organ donors.

Senator Lee asserted that this bill does not address the leave policy for State employees who donate organs. She noted that this bill requires notification, but does not make changes to the existing leave policy. She asked Chairman Heider if she was correct. **Chairman Heider** responded in the affirmative.

MOTION: There being no more testimony or questions, **Senator Potts** moved to send **S 1250** to floor with a **do pass** recommendation. **Senator Jordan** seconded the motion. The motion carried by **voice vote**.

PASSED THE GAVEL: Vice Chairman Souza passed the gavel back to Chairman Heider.

ADJOURNED: There being no further business, **Chairman Heider** adjourned the meeting at 3:40 p.m.

Senator Heider
Chair

Rachel Goodman
Secretary