

MINUTES  
**SENATE HEALTH & WELFARE COMMITTEE**

**DATE:** Wednesday, February 21, 2018

**TIME:** 3:00 P.M.

**PLACE:** Room WW54

**MEMBERS PRESENT:** Chairman Heider, Vice Chairman Souza, Senators Martin, Lee, Harris, Agenbroad, Foreman, Potts, 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 to order the meeting of the Health and Welfare Committee (Committee) at 3:12 p.m.

**GUBERNATORIAL APPOINTMENT:** **Consideration of the Gubernatorial Appointment of Linda Hatzenbuehler to the Idaho State Board of Health and Welfare. Dr. Linda Hatzenbuehler** stated she is a licensed psychologist and the chairperson of the Idaho Council on Suicide Prevention. She was a State employee for 40 years. **Dr. Hatzenbuehler** described her professional background and qualifications.

**DISCUSSION:** **Senator Lee** asked Dr. Hatzenbuehler which aspect of health and welfare she would like the State to focus upon more. **Dr. Hatzenbuehler** stated Idaho should improve access to mental health services.

**MOTION:** There being no more questions, **Vice Chairman Souza** moved to send the Gubernatorial appointment of Dr. Linda Hatzenbuehler to the Idaho State Board of Health and Welfare to the floor with the recommendation that she be confirmed by the Senate. **Senator Harris** seconded the motion. The motion carried by **voice vote**.

**S 1296** **Mental Disabilities, Service Animals. Ian Freeman** explained this bill would allow individuals with mental disabilities to have service dogs. Currently, Idaho Code only recognizes service dogs for individuals with physical disabilities. **Mr. Freeman** noted this bill does not relate to emotional support animals.

**DISCUSSION:** **Senator Lee** asked for an example of a mental disability and inquired as to whether this bill is in compliance with the Americans with Disabilities Act of 1990 (ADA). **Mr. Freeman** stated this bill would bring Idaho Code into compliance with the ADA. Mental disabilities include conditions such as post-traumatic stress disorder (PTSD) and anxiety.

**Senator Jordan** asked if this bill draws upon a legal definition of mental disability included in the ADA. **Mr. Freeman** responded in the affirmative.

**Chairman Heider** inquired as to how service animals are trained to assist individuals with mental disabilities. **Tina Day** spoke on behalf of Guardian Paws Service Dogs, which trains service animals for veterans. She emphasized that service dogs can have a very positive impact on individuals with PTSD. Service dogs must undergo obedience training, distraction training, and training that teaches them to interpret their handler's demeanor.

**Senator Harris** asked how long it takes to train a service dog and how much the

training process costs. **Ms. Day** stated service dogs cost between \$7,000 and \$17,000. She noted Guardian Paws Service Dogs provides free service dogs to veterans. Basic obedience training lasts between six weeks and three months.

**Senator Potts** asked how to address the issue of emotional support dogs or therapy dogs that are not service dogs and are not trained. **Ms. Day** explained service dogs are not required to have any visible distinguishing factors. She emphasized the importance of educating citizens about service dogs and the differences between service dogs and emotional support or therapy animals. **Ms. Day** commented a service dog registry would violate the ADA. She also noted many businesses do not understand their rights relating to service animals. Business owners can request the removal of a service dog from their business under certain circumstances.

**Senator Potts** asserted many businesses now display signs which state service animals are only allowed on the premises if the handler has a physical, visible disability. He asked how this bill would affect these businesses. **Ms. Day** reiterated the importance of educating businesses about their rights.

**Vice Chairman Souza** asked if there is a point at which someone is too mentally disabled to handle a service dog. **Ms. Day** explained it depends upon the circumstances. She noted it is important to find a dog that is an appropriate match for the handler's needs and personality.

**TESTIMONY:** **Michael Green** shared his personal experience owning a service dog and spoke in support of this bill. He noted fraudulently claiming that a dog is a service animal is a federal felony.

**Richard Turner** shared his personal experience owning a service dog and spoke in support of this bill.

**DISCUSSION:** **Senator Jordan** asked if this bill would encourage individuals with mental disabilities who want service dogs, but are concerned about legality, to get service dogs. **Mr. Turner** responded in the affirmative. He noted many businesses will not allow service dogs to enter the premises if the handler does not have a visible disability. He asserted this bill will grant individuals with mental disabilities more freedom and security.

**MOTION:** There being no further testimony or questions, **Senator Martin** moved to send **S 1296** to the floor with a **do pass** recommendation. **Senator Jordan** seconded the motion.

**DISCUSSION:** **Senator Potts** expressed concern that this bill did not define the difference between a service animal and an emotional support or therapy animal. He also voiced concern that this bill does not adequately protect individuals with legitimate service animals.

**SUBSTITUTE MOTION:** **Senator Potts** moved that **S 1296** be held subject to the call of the Chair. He stated he would like to work on alternate wording for the bill. **Senator Harris** seconded the motion.

**DISCUSSION:** **Senator Jordan** asserted this bill will encourage more education about service animals. She noted the bill references various legal definitions included in federal law.

**Senator Martin** noted the bill simply allows individuals with mental disabilities to have service dogs. He explained the ADA already includes definitions of "assistance dog," "dog in training," and other relevant terms.

- VOICE VOTE:** The substitute motion to hold **S 1296** subject to the call of the Chair **failed** by **voice vote**. **Senator Potts** voted **aye**.
- DISCUSSION:** **Senator Potts** explained he would vote in favor of the original motion because he recognizes the importance of the issue. He emphasized the importance of educating the public about the subject.
- VOICE VOTE:** The original motion to send **S 1296** to the floor with a **do pass** recommendation **carried** by **voice vote**. Senator Hagedorn will carry the bill on the floor of the Senate.
- PRESENTATION:** **Suicide Prevention. Dr. Linda Hatzenbuehler** spoke on behalf of the Idaho Council on Suicide Prevention. She stated Idaho has one of the highest suicide rates in the United States. Idaho developed a suicide prevention plan in 2003; the plan was updated in 2011 as the result of a federal grant. The plan is meant to assist communities by facilitating suicide interventions and responses to suicide attempts. In 2006, the State established the Idaho Council on Suicide Prevention, which oversees suicide prevention efforts and creates annual reports about suicide in Idaho. The Idaho Council on Suicide Prevention consists of members from various stakeholder groups.
- Dr. Hatzenbuehler** explained a suicide prevention hotline was funded and has expanded since its original establishment. In 2016, the State began funding the Suicide Prevention Program, which recently released several public service announcements regarding suicide. Idaho's suicide rate is higher than the national average, and males have a higher rate of suicide than females. **Dr. Hatzenbuehler** noted suicide rates vary across Idaho's Public Health Districts and vary by age. The primary suicide method in Idaho is suicide by firearm.
- The Idaho Council on Suicide Prevention hopes to form a partnership with coroners throughout the State in order to collect better suicide data. The Council also hopes to address the issue of gun safety in Idaho.
- DISCUSSION:** **Senator Harris** referenced a discrepancy between the suicide rates by age in the Idaho Council on Suicide Prevention's annual report (see Attachment 1) and the informational sheet (see Attachment 2). **Dr. Hatzenbuehler** indicated that the informational sheet included an additional age category. **Senator Harris** asked why the suicide rate among senior citizens is so high. **Dr. Hatzenbuehler** explained people may become more isolated and physically-challenged as they age. Some individuals may feel that they are a burden to others. These factors and others can contribute to suicidal thoughts.
- Senator Potts** asked how many suicides are caused by the colloquially-known Tide Pod Challenge and other similar pranks. **Kim Kane** introduced herself as the Program Director for the Suicide Prevention Program within the Idaho Department of Health and Welfare (DHW). She explained suicide is defined by intent. Accidental deaths are not included in suicide statistics. **Senator Potts** asked how officials determine whether a death is a suicide or an accident. **Ms. Kane** explained there are many ways, including psychological autopsies, to determine whether a death was intentional.
- Senator Harris** asked if there is a time of year in which suicide rates peak. **Ms. Kane** stated suicide rates are highest in late spring. **Chairman Heider** asked why suicide rates peak in spring. **Ms. Kane** explained committing suicide requires energy and planning. She noted a person's energy level increases in late spring, resulting in higher suicide rates during that season.
- Vice Chairman Souza** asked which methods are most effective in preventing

suicide. **Ms. Kane** stated 45 percent of suicide victims visited their primary care physician less than one month before their suicide. She asserted educating primary care physicians and other health care workers about suicide is important and can be an effective way to prevent suicide. **Vice Chairman Souza** asked Ms. Kane if any of Idaho's efforts to reduce suicide rates have been particularly effective. **Ms. Kane** stated Minidoka County and Cassia County have implemented effective suicide prevention programs.

**Senator Agenbroad** asked how the Idaho Council on Suicide Prevention, DHW, and Idaho school districts work together. **Ms. Kane** explained the Idaho Council on Suicide Prevention is responsible for oversight of suicide prevention efforts. She noted individuals from DHW and the Idaho State Board of Education are members of the Idaho Council on Suicide Prevention. **Ms. Kane** stated the various entities work together to develop suicide prevention programs.

**Senator Potts** asked if the suicide statistics provided in the presentation include suicides that occur in prisons and jails. He asked how many suicides take place in prisons and jails. **Ms. Kane** clarified that the statistics in the presentation include Idaho residents; therefore, if an Idahoan commits suicide while incarcerated, he or she is included in Idaho's suicide rate. She stated she did not know how many incarcerated Idahoans commit suicide annually.

**Senator Potts** asked for budget information. **Ms. Kane** stated she would make that information available to him.

**Chairman Heider** asked if there are any statistics about the number of people saved by Idaho's suicide prevention efforts. **Dr. Hatzenbuehler** explained it is difficult to measure that number. She stated there are statistics regarding usage of the suicide prevention hotline and crisis centers.

**ADJOURNED:** There being no further business, **Chairman Heider** adjourned the meeting at 4:37 p.m.

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Senator Heider  
Chair

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Rachel Goodman  
Secretary