

MINUTES
SENATE HEALTH & WELFARE COMMITTEE

DATE: Tuesday, January 22, 2019

TIME: 3:00 P.M.

PLACE: Room WW54

MEMBERS PRESENT: Chairman Martin, Vice Chairman Souza, Senators Heider, Lee, Burtenshaw, Bayer, Jordan, and Nelson

ABSENT/ EXCUSED: Senator Harris

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 Martin** called the meeting of the Senate Health and Welfare Committee (Committee) to order at 3:10 p.m.

RS 26584 **Senator Heider** introduced **RS 26584**, that allows for a change in communication for organ donation and procurement, from local authorities to the Idaho State Communications Center (StateComm). Emergency responders will contact StateComm with the deceased donor's name and date of birth. StateComm will communicate with the appropriate organ procurement program. **Senator Heider** requested to send **RS 26584** to print.

DISCUSSION: **Senator Jordan** asked if there had been issues with local communication. **Senator Heider** replied that there were too many responders at the local level without the knowledge of whom to call for procurement. **Senator Bayer** wondered how it is determined that a deceased individual intended to be a donor, and **Senator Heider** explained that it is often indicated on the driver's license or by a family member who knows the individual's preference. In follow-up, **Senator Bayer** asked for confirmation that the deceased would not become a donor inadvertently, and **Senator Heider** assured her that she was correct.

MOTION: **Senator Jordan** moved to send **RS 26584** to print. **Vice Chairman Souza** seconded the motion. The motion carried by **voice vote**.

PASSED THE GAVEL: Chairman Martin turned the meeting over to Vice Chairman Souza.

DOCKET NO. 16-0612-1801 **Ericka Rupp**, Program Manager for the Idaho Child Care Program, Department of Health and Welfare (DHW), introduced **Docket No. 16-0612-1801**, Rules Governing the Idaho Child Care Program. The pending rules reflect changes in eligibility, so that a slight increase in household income does not become punitive. It also addresses daycare providers and background checks. This rule falls under federal requirements, so no negotiated rulemaking was conducted.

DISCUSSION: **Senator Jordan** wondered what action has been taken regarding ongoing issues with time delays in completing background checks. **Ms. Rupp** responded that regular meetings with providers were held, with quarterly updates. A change in the criminal history unit (a software update that goes into effect this week) should also provide some improvement. **Senator Jordan** commented that complaints are down, so turnaround time must be improving. **Senator Jordan** asked a follow-up question about any impact resulting from the federal shutdown and **Ms. Rupp** replied that she was not aware of any impact.

MOTION: **Chairman Martin** moved to approve **Docket No. 16-0612-1801**. **Senator Jordan** seconded the motion. The motion carried by **voice vote**.

DOCKET NO. 16-0308-1801 **Ms. Rupp** presented **Docket No. 16-0308-1801**, Rules Governing the Temporary Assistance for Families in Idaho Program (TAFI), that changes the definition of a dependent child to an adult effective on their eighteenth birthday, and clarifies that Supplemental Security Income (SSI) is excluded from household eligibility. Negotiated rulemaking was conducted, with no comments received. The department anticipates a \$2,000-\$6,000 annual savings.

DISCUSSION: **Senator Lee** wondered why DHW was taking action that impacts such a small number of families. **Ms. Rupp** responded that the current process creates a burden to DHW in information verification when tracking the graduation status of those individuals aging out. **Senator Lee** inquired about the status of a student that turns eighteen while still in high school and **Ms. Rupp** confirmed that benefits close on the eighteenth birthday regardless of school status. **Vice Chairman Souza** asked why DHW chose to take away this benefit while a student is still in school, and the answer was to realize a cost savings to the DHW. The rule impacts ten out of 2,900 families. **Vice Chairman Souza** pointed out that it appeared to benefit DHW, not Idaho families. **Ms. Rupp** stated that it also lessened the reporting burden to families, to which, **Vice Chairman Souza** suggested that perhaps the family should have the option to opt out until graduation. **Senator Lee** asked if there were any implications across all DHW divisions before this rule was considered; if there were any unintended consequences statewide. **Ms. Rupp** replied that the DHW always considers implications across all divisions before a rule is considered and deferred to her administrator to provide more detail. **Julie Hammond**, Administrator for the Division of Welfare, confirmed that there is no impact across programs and added that this rule applied only to households where the youngest child was turning eighteen. **Senator Jordan** wondered if DHW had considered grandfathering in those ten families and the response was no; doing so would require manually managing the data.

MOTION: **Senator Heider** moved to approve **Docket No. 16-0308-1801**. **Chairman Martin** seconded the motion.

SUBSTITUTE MOTION: **Senator Nelson** moved to approve **Docket No. 16-0308-1801**, but to strike the addition made to page 64, Section 010.07. and to retain the original language. **Senator Jordan** seconded the motion. .

DISCUSSION: **Vice Chairman Souza** asked Senator Nelson for clarification of his intent. **Senator Nelson** stated, to keep 18 year-old TAFI recipients eligible while still in high school. **Senator Lee** spoke in favor of the substitute motion, and recommended that the DHW track this data over the year and revisit the issue next legislative session.

VOICE VOTE: The substitute motion to approve **Docket No. 16-0308-1801**, but to strike the addition made to page 64, Section 010.07. and to retain the original language, carried by **voice vote**

DOCKET NO. 16-0304-1801 **Kristin Matthews**, Program Manager for the Supplemental Nutrition Assistance Program (SNAP), Department of Health and Welfare, presented **Docket No. 16-0304-1801**, Rules Governing the Food Stamp Program in Idaho. There are changes in definition that make some work requirements mandatory. There are changes to language for self-employed farmers. These changes align with federal requirements, so no Negotiated Rulemaking was conducted. They received no public comments and there is no fiscal impact to the General Fund.

- DISCUSSION:** Committee members had several questions and concerns about the definition, since many businesses are owned by couples; whether the income threshold was for an individual or couple; the difference between self-employment and considered employment; losses; expenses; gross income; and Internal Revenue Service definitions. **Ms. Matthews** explained that the Department asked a lot of questions during the process and the simple answer is that if there are no taxes taken out of income, the individual is considered self-employed. **Senator Lee** asked who crafted the language and **Ms. Matthews** reported that she thought it was pulled directly from the federal requirement, but she would confirm that and report back to the Committee.
- MOTION:** **Chairman Martin** moved to approve **Docket No. 16-0304-1801**. **Senator Nelson** seconded the motion.
- ROLL CALL VOTE:** **Chairman Martin** called for a roll call vote. **Senators Martin, Souza, Heider, Burtenshaw, Jordan, and Nelson** voted aye. **Senators Lee, Harris, and Bayer** voted nay. The motion carried.
- DOCKET NO. 16-0303-1801** **Rob Rinard**, Bureau Chief, Support Services, presented **Docket No. 16-0303-1801**, Fee Rule, Rules Governing Child Support Services. This is a language change to reflect a fee increase from \$25 to \$35 directed by federal requirement, for an increase in annual fee collection from \$297,000 to \$416,500. Fees are used to offset program administration costs.
- MOTION:** **Senator Lee** moved to approve **Docket No. 16-0303-1801**. **Senator Jordan** seconded the motion. The motion carried by **voice vote**.
- ADJOURNED:** There being no further business at this time, **Vice Chairman Souza** adjourned the meeting at 4:30 p.m.

Senator Martin
Chair

Margaret Major
Secretary