

MINUTES  
**SENATE HEALTH & WELFARE COMMITTEE**

**DATE:** Wednesday, February 06, 2019

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

**PLACE:** Room WW54

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

**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:** **Vice Chairman Souza** called the meeting of the Senate Health and Welfare Committee (Committee) to order at 3:05 p.m.

**DOCKET NO. 16-0202-1801** **Dr. Curtis Sandy**, Medical Doctor (M.D.), Chairman, Emergency Medical Services Commission, presented **Docket No. 16-0202-1801**, Rules of the Idaho Emergency Medical Services (EMS) Physician Commission and gave an overview of the Commission. The rules update the 2019 Standards Manual for medical directors, incorporating wound packing for EMS personnel to support the Stop The Bleed Campaign and for their use of ultrasound in out-of-hospital critical conditions.

**MOTION:** **Senator Jordan** moved to approve **Docket No. 16-0202-1801**. **Senator Lee** seconded the motion. The motion carried by **voice vote**.

**RS 26698C1** **Tyrel Stevenson**, Attorney, Legislative Director, Coeur d'Alene Tribe, introduced **RS 26698C1**, Authorization to License Dental Therapists, and requested that the Committee send it to print. Based on a program in Alaska, Mr. Stevenson worked closely with the Idaho Board of Dentistry to define scope and practice parameters, and levels of training and supervision.

**DISCUSSION:** **Vice Chairman Souza** asked Mr. Stevenson to clarify the position of the Board of Dentistry. **Mr. Stevenson** reported that the Board of Dentistry voted to remain neutral. **Senator Lee** commented that there was room for additional debate. **Mr. Stevenson** offered that he was always happy to talk and negotiate, but that he was restricted by legislative print deadlines.

**MOTION:** **Senator Heider** moved to send **RS 26698C1** to print. **Senator Nelson** seconded the motion. The motion carried by **voice vote**.

**RS 26596** **Senator Heider** introduced **RS 26596**, Relating to Joint Physical Custody, and requested that the Committee send it to print.

**DISCUSSION:** **Senator Jordan** wondered if discussion occurred with stakeholders and the courts. **Senator Heider** replied that he was not familiar with what prompted this legislation or what efforts went into it. **Senator Lee** expressed concern that this would enshrine a one-size-fits-all mandate into statute and questioned whether this legislation is ready for consideration. **Senator Jordan** echoed Senator Lee's concerns, and wondered if this bill is more appropriate for consideration by the Judiciary and Rules Committee. **Senator Souza**, citing personal family experience, expressed concern over the court system deciding parenting plans, reiterating that this is not a judicial committee. **Senator Heider** concurred that this legislation could be referred to the Judiciary and Rules Committee.

**MOTION:** **Senator Jordan** moved to not print **RS 26596**. **Vice Chairman Souza** seconded the motion.

**ROLL CALL VOTE:** **Chairman Martin** called for a roll call vote. **Vice Chairman Souza, Senators Lee, Burtenshaw, Bayer and Jordan** voted aye. **Chairman Martin, Senators Heider, Harris and Nelson** voted nay.

**H 9** **Anne Lawler**, Juris Doctor, Registered Nurse (JD, RN), Executive Director, Board of Medicine (Board), presented **H 9**, the Medical Practice Act (Act), and requested a do pass recommendation. The bill amends and updates Title 54, Chapter #18, of Idaho Code, removing language that is obsolete or duplicative, and removing barriers to licensure. The Act has not been significantly updated since 1977. The changes fully incorporate Physician Assistants (PAs) throughout the Act. Idaho has 1,400 practicing PAs. The Board sought input from a number of stakeholders, including the Idaho Medical Association; Idaho Academy of Physician Assistants; Idaho Boards of Nursing, Pharmacy, and Dentistry; the Bureau of Occupational Licenses; and the public. There is no fiscal impact to the General Fund.

**DISCUSSION:** **Senator Jordan** had questions about language regarding public reprimand. **Ms. Lawler** described the process that includes a signed reprimand sent to a national databank, which is a public record. **Chairman Martin** asked why language was changed from "without malice" to "in good faith". **Ms. Lawler** responded that the Board chose more positive language. **Vice Chairman Souza** brought questions about PA scope of practice versus supervising physicians. **Ms. Lawler** explained that there is a standard scope of practice for all Idaho PAs that is then customized by subspecialty, for each supervising physician to authorize. In follow up, **Senator Souza** inquired if the accountability lay with the PA or physician, to which, **Ms. Lawler** replied, both share responsibility. **Senator Burtenshaw** wondered why the language, "and surgery" was deleted. **Ms. Lawler** replied that it is removed from the entire Act because it is no longer relevant. The presumption is that if medical credentials are in place, appropriate surgical credentials are also in place for those performing surgical procedures. **Chairman Martin** inquired why the Board is flagging a felony charge in the application. **Ms. Lawler** explained that it allows the Board to place an application on hold while a case moves through the court system.

**MOTION:** **Senator Lee** moved to send **H 9** to the floor with a do pass recommendation. **Senator Jordan** seconded the motion. The motion carried by **voice vote**.

**ADJOURNED:** There being no further business at this time, **Chairman Martin** adjourned the meeting at 4:04 p.m.

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Senator Martin  
Chair

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Margaret Major  
Secretary