

MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Wednesday, January 08, 2020

**TIME:** 9:00 A.M.

**PLACE:** Room EW20

**MEMBERS:** Chairman Wood, Vice Chairman Wagoner, Representatives Vander Woude, Gibbs, Blanksma, Kingsley, Zollinger, Christensen, Green (Kastning)(2), Lickley, Chew, Rubel, Davis

**ABSENT/  
EXCUSED:** Representative(s) Rubel

**GUESTS:** The sign-in sheet will be retained with the minutes in the committee secretary's office until the end of the session. Following the end of the session, the sign-in sheet will be filed with the minutes in the Legislative Services Library.

**Chairman Wood** called the meeting to order at 9:00 a.m.

**DOCKET NO. 27-0000-1900F:** **Nicki Chopski**, Executive Director, Idaho Board of Pharmacy, presented **Docket No. 27-0000-1900F**, the omnibus reauthorization of existing agency rules. Changes have streamlined and improved rule navigation. The four separate pharmacy technician categories were collapsed into regular pharmacy technician and certified pharmacy technician, with registration at the existing fee levels. This change removes duplication, increases efficiency, and simplifies licensing. An alternative to the continuing education requirement is provided.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Gibbs** made a motion to approve **Docket No. 27-0000-1900F. Motion carried by voice vote.**

**DOCKETS NO. 22-0000-1900 & 22-0000-1900F:** **Anne Lawler**, Executive Director, Idaho State Board of Medicine, presented **Dockets No. 22-0000-1900 and 22-0000-1900F**, the agency omnibus rule reauthorization. As part of the streamlining process, all licensure, renewal, discipline, and telehealth provisions were moved to the General Provisions chapter. Licensure requirements were relocated to the Board-approved forms. Duplicate provisions were also removed and fees were placed in easy-to-read tables.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Lickley** made motion to approve **Dockets No. 22-0000-1900 and 22-0000-1900F. Motion carried by voice vote.**

**DOCKET NO. 22-0107-1901:** **Anne Lawler**, Executive Director, Idaho State Board of Medicine, presented **Docket No. 22-0107-0901**, for the licensure of Naturopathic Medical Doctors, following the statute which became effective July 2019. Relevant accreditation organizations, national qualifying examination, and "primary care" are defined. Licensure requirements are stipulated along with the authority to prescribe, dispense, administer, and order medications, lab tests, and diagnostic procedures. A fee table is provided. Also defined are the naturopathic formulary, exceptions, and continuing medical education requirements. The grounds for discipline or denial of a license are outlined, consistent with other Board of Medicine rules chapters.

**Kris Ellis**, testified the Idaho Chapter of the Naturopathic Physicians is **in support of Docket No. 22-0107-0901.**

For the record, no one else indicated their desire to testify.

**MOTION:** Rep. Chew made a motion to approve **Docket No. 22-0107-1901. Motion carried by voice vote.**

**DOCKET NO. 23-0101-1900F:** Russ Barron, Executive Director, Idaho Board of Nursing, presented **Docket No. 23-0101-1900F**, an Omnibus reauthorization of existing agency rules updated in accordance with the Red Tape Reduction Act. Changes eliminated unused fees for the verification of licensure requested for another state, a emeritus license, and a limited license. Restrictive words were changed and duplications were removed. The Certified Nursing Assistant (CNA) education programs were deleted and reassigned to the Department of Health and Welfare (DHW), who has the CNA regulatory authority. The Board will provide technical assistance to the DHW, if needed.

For the record, no one indicated their desire to testify.

**MOTION:** Rep. Davis made a motion to approve **Docket No. 23-0101-1900F. Motion carried by voice vote.**

**DOCKET NO. 23-0101-1901:** Russ Barron, Executive Director, Idaho Board of Nursing, presented **Docket No. 23-0101-1901**, a new rule. The changes delete rules associated or related to a Medication Assistant Certified (MAC) certification. There is one person in Idaho authorized and not using the certification. The statutory regulation still exists and can be used in the future.

For the record, no one indicated their desire to testify.

**MOTION:** Rep. Lickley made a motion to approve **Docket No. 23-0101-1901. Motion carried by voice vote.**

**DOCKETS NO. 24-0601-1900F, 24-0901-1900F, 24-1001-1900F, 24-1101-1900F, 24-1201-1900F, 24-1301-1900F, 24-1401-1900F, 24-1601-1900F, 24-1701-1900F, 24-1901-1900F, 24-2301-1900F, 24-2401-1900F, 24-2601-1900F, & 24-2701-1900F:** Kelley Packer, Bureau Chief, Bureau of Occupational Licenses, presented **Dockets No. 24-0601-1900F, Occupational Therapists and Assistants, 24-0901-1900F, Examiners of Nursing Home Administrators, 24-1001-1900F, Board of Optometry, 24-1101-1900F, Board of Podiatry, 24-1201-1900F, Psychologist Examiners, 24-1301-1900F, Physical Therapy Licensure, 24-1401-1900F, Social Work Examiners, 24-1601-1900F, Board of Dentistry, 24-1701-1900F, Board of Acupuncture, 24-1901-1900F, Examiners of Resident Care Facility Administrators, 24-2301-1900F, Speech, Hearing and Communication Services, 24-2401-1900F, Genetic Counselors, 24-2601-1900F, Board of Midwifery, and 24-2701-1900F, Massage Therapy.** Each of the listed rules was previously approved by the Legislature. Rules which were outdated, expired, duplicate, and unused for the Psychologist Examiners, Genetic Counselors, Board of Midwifery, Board of Podiatry, and Board of Dentistry were removed,

**UNANIMOUS CONSENT REQUEST:** Chairman Wood made a unanimous consent request to reflect the Optometry Omnibus Rule number be shown as **Docket No. 24-1001-1900F** instead of **Docket No. 24-0101-1900F**, as shown on the committee's agenda. There being no objection, the request was granted.

For the record, no one indicated their desire to testify.

**MOTION:** Rep. Gibbs made a motion to approve the **Dockets No. 24-0601-1900F, 24-0901-1900F, 24-1001-1900F, 24-1101-1900F, 24-1201-1900F, 24-1301-1900F, 24-1401-1900F, 24-1601-1900F, 24-1701-1900F, 24-1901-1900F, 24-2301-1900F, 24-2401-1900F, 24-2601-1900F, & 24-2701-1900F. Motion carried by voice vote.**

**DOCKETS NO. 24-0301-1900F & 24-1501-1900F:** **Rob McQuade**, Bureau Counsel, Bureau of Occupation Licenses, presented **Dockets No. 24-0301-1900F**, Chiropractic Physicians and **24-1501-1900F**, Professional Counselors and Marriage and Family Therapists, which are existing rule reauthorizations and in line with the Red Tape Reduction Act.

The Chiropractic Physicians Board requested a fee increase in 2015 as a result of legal action and a resultant \$100k debt. A recent Legislative Services Office audit indicated the board needs to move at a faster pace to get back to the black. Along with a fee increase, the board has implemented cost savings measures. Original licensure, license renewal, inactive renewal, interim permit, and temporary permit fees are increased by \$50. The clinical nutrition certifications, application, and renewal fees are increased by \$25. Eight other fees will remain the same.

The Professional Counselors and Marriage and Family Therapists Board has followed the guidance of carrying a twelve to eighteen month reserve for unexpected costs. In order to avoid going into debt, the board has requested a fee increase and is also implementing other cost cutting measures. Applications and original licensure fees are increased by \$25. The license renewal fee is increased by \$20 and the inactive license renewal fee is increased by \$10.

Answering questions, **Mr. McQuade** stated as of November 30, 2019, the Chiropractic Physicians Board has a debt of \$73,997 which is expected, with the new fees, to be paid in three to five years. The Bureau of Occupational Licenses holds all funds for each board.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Chew** made a motion to approve **Dockets No. 24-0301-1900F and 24-1501-1900F. Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 9:49 a.m.

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Representative Wood  
Chair

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Irene Moore  
Secretary