

MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Thursday, February 06, 2020

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

**PLACE:** Room EW20

**MEMBERS:** Chairman Wood, Vice Chairman Wagoner, Representatives Vander Woude, Gibbs, Blanksma, Kingsley, Zollinger, Christensen, Lickley, Remington, Chew, Rubel, Davis

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

**GUESTS:** Kris Ellis, IHCA; Elke Shaw-Tulloch, IDHW; Russ Barron and Katie Stuart, Board of Nursing

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

**RS 27496:** **Elke Shaw-Tulloch**, Administrator, Division of Public Health, Department of Health and Welfare (DHW) presented **RS 27496** to move the responsibilities of the health care directives and registry from the Secretary of State's office to the DHW. With approximately 40,000 current users in the registry, the current system lacks the ability to provide documents when and how they are most needed. A new bidirectional, voluntary, 24/7 web-based registry would integrate the data into the electronic record.

Answering committee questions, **Ms. Shaw-Tulloch** explained the \$500,000 ongoing cost estimate is split between the registry and outreach provider training. The current basic program has no funding. This would create a patient-based, user friendly, interfaced program.

**MOTION:** **Vice Chairman Wagoner** made a motion to introduce **RS 27496**. **Motion carried by voice vote.**

**RS 27554:** **RS 27554** is presented by **Kalli Falck, Margorie Dehlin, Summer Young, and Jake Mesecher**, a consortium of students, Eagle High School.

**Kalli Falck** explained **RS 27554** prohibits smoking and vaping in a vehicle in the presence of minors, with a secondary offence citation fee of \$75. Children, whose brains and bodies are more susceptible to the product toxins, are also vulnerable because they are either unaware of the dangers or do not have the voice to protect themselves. Tobacco is the number one killer in Idaho. On average, children are exposed to more second-hand smoke than adults, resulting in illnesses and premature deaths.

**Marjorie Dehlin** further presented **RS 27554**, stating eight states have banned smoking in work places and in vehicles when minors are present. Exposure for as little as ten seconds can simulate asthmatic symptoms. Minors exposed to second-hand smoke are more likely to become adult users and expose their children to the same dangers. Current standards are no longer acceptable.

The committee shared concerns regarding the definition of vape and the unexpected inclusion of persons inhaling medication. There was also concerns regarding the age difference between the smoking cessation product age and this legislation.

**Chairman Wood** said this teaching exercise helps youth understand and be involved in the legislative process by following a piece of legislation, even if it goes to the amending order.

**MOTION:** **Rep. Gibbs** made a motion to introduce **RS 27554**.

**SUBSTITUTE MOTION:** **Rep. Vander Woude** made a substitute motion to return **RS 27554** to the sponsor.

**ROLL CALL VOTE ON SUBSTITUTE MOTION:** A roll call vote was requested. **Motion failed by a vote of 6 AYE, 6 NAY, 1 Absent/Excused. Voting in favor** of the substitute motion: **Reps. Vander Woude, Blanksma, Kingsley, Zollinger, Christensen, Remington. Voting in opposition** to the substitute motion: **Reps. Wood, Wagoner, Gibbs, Lickley, Rubel, Davis. Rep. Chew was absent/excused.**

**VOTE ON ORIGINAL MOTION:** **Chairman Wood** called for a vote on the original motion to introduce **RS 27554. Motion carried by voice vote.**

**RS 27575C1:** **Rep. Priscilla Giddings**, District 7, presented **RS 27575C1**, for the prevention of blindness and disease in infants. The rule section outlines the procedures and testing to be performed. Dual sections list a misdemeanor offence if the birthing attendant, for births at home, does not provide specified newborn screening data to the state. The DHW Director is responsible to report to the county prosecuting attorney when data is not provided. From 2009 to 2018 close to 800 home births had someone other than a doctor or midwife as the birthing attendant. Births at home are increasing due to rising costs or rural locations. The changes remove the misdemeanor offence and the Director's reporting duty.

**Chairman Wood** stated this section of code originates in the early 1920's and, to his knowledge, no one has been cited in modern history.

**MOTION:** **Vice Chairman Wagoner** made a motion to introduce **RS 27575C1. Motion carried by voice vote.**

**H 385:** **Kris Ellis**, Idaho Health Care Association, presented **H 385**, for certification of Medication Assistants. Applicants must first be Certified Nursing Assistants (CNAs) with education from an accredited program through the U.S. Department of Education. The certification exam must be the medication aide certification exam (MACE), which is approved by the National Council of the State Board of Nursing. There is grandfathering language for the one Idaho licensee. This will help skilled nursing facilities better serve their residents and provides another stepping stone for CNAs who may want to become a nurse.

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

**MOTION:** **Rep. Davis** made a motion to send **H 385** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Zollinger** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 9:30 a.m.

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Representative Wood  
Chair

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Irene Moore  
Secretary