

MINUTES
SENATE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Thursday, January 14, 2021

TIME: 1:15 P.M.

PLACE: Room WW54

MEMBERS PRESENT: Chairman Patrick, Vice Chairman Souza, Senators Martin, Lakey, Guthrie, Agenbroad, Riggs, Ward-Engelking, and Burgoyne

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 Patrick** called the meeting of the Senate Commerce and Human Resources Committee (Committee) to order at 1:16 p.m.

GUBERNATORIAL APPOINTMENT: **Committee Consideration of the Gubernatorial Appointment of Tara Malek, Idaho Health Insurance Exchange Board (IHIEB)**, of Coeur d'Alene, Idaho, term commencing August 5, 2020, and expiring April 10, 2024. **Ms. Malek** gave a brief overview of her background and job history. **Ms. Malek** noted that with her experience, including as a Your Health Idaho (YHI) Finance Committee Member and as an attorney currently at Smith and Malek, she would bring a perspective to the IHIEB from the legal and business-owner point of view.

DISCUSSION: **Senator Agenbroad** asked what short- and long-term impact would Ms. Malek have on the IHIEB. **Ms. Malek** stated because of her background in civil and criminal law, and as a business owner, she would bring that experience to the IHIEB.

Senator Lakey remarked YHI was a solution to the federal requirements. He questioned how Ms. Malek would maintain YHI. **Ms. Malek** related YHI has been a huge benefit to the State, with low medical insurance rates and over a 90 percent approval rate.

Senator Burgoyne indicated he was interested in the nature of her legal practice and if conflicts of interest ever arose while serving on the IHIEB. **Ms. Malek** responded she would recuse herself if there was a conflict. She reported she represented the public on the IHIEB, due to her diverse background.

Vice Chair Souza asked Ms. Malek how COVID-19 had impacted the IHIEB. **Ms. Malek** asserted Executive Director Pat Kelly of YHI had done an exemplary job of navigating and using technology to update IHIEB members on the impact of COVID-19.

Chairman Patrick announced the Committee would vote after the next Gubernatorial Appointment hearing on the agenda.

GUBERNATORIAL APPOINTMENT: **Committee Consideration of the Gubernatorial Appointment of Karan Tucker, IHIEB**, of Boise, Idaho, term commencing May 27, 2020, and expiring April 4, 2021. **Ms. Tucker** gave a brief overview of her background and job history. **Ms. Tucker** opined every Idahoan needs access to health care. Her experience as a Certified Public Accountant (CPA) in the past and as Executive Director of Jannus, Incorporated, a nonprofit health and human services organization allows her to fill the position on the IHIEB that represents consumer interests.

DISCUSSION: **Senator Burgoyne** queried how Ms. Tucker would handle any potential conflicts of interest. **Ms. Tucker** responded that in the early years of YHI, her company had contracts to serve as consumer outreach. She has stopped contracting with YHI even though she continues to serve on its Governance Committee and would acknowledge any conflict of interest.

Senator Martin asked if Ms. Tucker had seen any effect on YHI with Medicaid expansion. **Ms. Tucker** stated that access for all Idahoans is significant and positive for all. **Senator Martin** asked Mr. Kelly to testify.

TESTIMONY: **Pat Kelly**, Executive Director, Idaho Health Insurance Exchange (IHIE), addressed Medicaid expansion and indicated there was an expectation of approximately 18,000 people moving from the IHIE to Medicaid in 2020. He reported a year ago there were 13,000. People stayed on the IHIE based on income or moved to Medicaid he said, if there was a decline in income. These programs continue to stay at a low cost for consumers, he said.

MOTION: **Vice Chair Souza** moved to send the Gubernatorial appointment of Tara Malek to the IHIEB to the floor with the recommendation that she be confirmed. **Senator Agenbroad** seconded the motion. The motion carried by **voice vote**.

MOTION: **Senator Burgoyne** moved to send the Gubernatorial appointment of Karan Tucker to the IHIEB to the floor with the recommendation that she be confirmed by the Senate. **Senator Ward-Engelking** seconded the motion. The motion carried by **voice vote**.

PASSED THE GAVEL: Chairman Patrick passed the gavel to Vice Chair Souza to introduce the rules.

Vice Chair Souza gave a brief synopsis of the rules that were approved last year. She stated she wanted a quick overview from presenters and asked them to note if there were any substantive changes from last year. She remarked a couple of rules would be held and heard in detail next week.

DOCKET NO. 12-0000-2000F **Rules of the Idaho Department of Finance (IDOF), Omnibus Rulemaking**, p. 5. **Anthony Polidori**, Deputy Director, IDOF, reported the rules were previously approved and there were no substantive changes.

MOTION: **Senator Agenbroad** moved to approve **Docket No. 12-0000-2000F**. **Senator Ward-Engelking** seconded the motion. **Senator Martin** asked for clarification that this motion approved all the omnibus rules under this docket. **Vice Chair Souza** said it did.

DISCUSSION: **Vice Chair Souza** indicated this docket also had a second component, which should be included in the motion. She asked Senator Agenbroad to restate the motion.

MOTION: **Senator Agenbroad** moved to approve **Docket Nos. 12-0000-2000F** and **12-0108-2000F**. **Senator Ward-Engelking** seconded the motion. The motion carried by **voice vote**.

DOCKET NO. 18-0000-2000F **Rules of the Idaho Department of Insurance (IDOI), Omnibus Rulemaking**, p. 73. **Dean Cameron**, Director, IDOI, reported there were no changes. He stated the three fee rules referring to Omnibus, Schedule of Fees, Licenses, and Miscellaneous Charges, and the Rules of the Fire Protection Sprinkler Contractors, were tied together.

MOTION: **Senator Lakey** moved to approve **Docket Nos. 18-0000-2000F, 18-0102-2000F, and 18-0802-2000F**. **Senator Martin** seconded the motion. The motion carried by **voice vote**.

DISCUSSION: **Vice Chair Souza** announced some of the ensuing dockets would be grouped and a motion would be made to approve all those dockets as a block. Some would be held.

Dawn Hall, Section Chief, Idaho Division of Occupational and Professional Licenses (IDOPL), indicated there were some small changes to the dockets

Senator Lakey and **Ms. Hall** discussed legislation passed last year in the House and some changes that addressed deadlines for the various boards.

DOCKET NO. 24-0101-2000F **Rules of the Division of Occupational Professional Licensing, Omnibus Rulemaking**, p. 85. **Ms. Hall** reported there were no substantive changes. She noted these rules encompassed landscape architects, morticians, and real estate appraisers.

MOTION: **Senator Martin** moved to approve **Docket Nos. 24-1801-2000F, 24-0101-2000F, 24-0401-2000F, 24-0701-2000F, and 24-0801-2000F**. **Senator Riggs** seconded the motion. The motion carried by **voice vote**.

DOCKET NO. 24-2101-2000F **Rules of the Idaho State Contractors Board, Omnibus Rulemaking**, p. 134. **Vice Chair Souza** stated because this is a new fee, it will be held until next week.

DOCKET NO. 24-2201-2000F **Rules of the Idaho State Liquefied Petroleum Gas Safety Board, Omnibus Rulemaking**, p. 139. **Ms. Hall** reported there were no changes.

DOCKET NO. 24-2901-2000F **Rules of Procedure of the Idaho Certified Shorthand Reporters Board, Omnibus Rulemaking**, p. 180. **Ms. Hall** indicated there were no substantive changes.

MOTION: **Senator Lakey** moved to approve **Docket Nos. 24-2201-2000F and 24-2901-2000F**. **Senator Martin** seconded the motion. The motion carried by **voice vote**.

DOCKET NO. 24-2501-2000F **Rules of the Idaho Driving Business Licensure Board, Omnibus Rulemaking**, p. 145. **Ms. Hall** stated this was a cleanup rule. She stated the hours were reduced for apprentices.

DISCUSSION: **Vice Chair Souza** announced the Committee may want to discuss and approve this docket. **Senator Martin** and **Ms. Hall** discussed the reduction of hours for apprentices and that there was no negative feedback.

MOTION: **Chairman Patrick** moved to approve **Docket No. 24-2501-2000F**. **Senator Riggs** seconded the motion. The motion carried by **voice vote**.

DOCKET NO. 24-2801-2000F **Rules of the Barber and Cosmetology Services Licensure Board, Omnibus Rule**, p. 157. **Vice Chair Souza** indicated this docket may be held. She asked **Ms. Hall** to describe the changes. **Ms. Hall** stated an application and a renewal fee were added and some fees were removed. **Vice Chair Souza** stated because fees were being added and removed, this docket would be held until next week.

**PASSED THE
GAVEL:**

Vice Chair Souza passed the gavel back to Chairman Patrick.

ADJOURNED:

There being no further business at this time, **Chairman Patrick** adjourned the meeting at 2:01 p.m.

Senator Patrick
Chair

Linda Kambeitz
Secretary