

MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Tuesday, January 19, 2021  
**TIME:** 9:00 A.M.  
**PLACE:** Room EW20  
**MEMBERS:** Chairman Wood, Vice Chairman Vander Woude, Representatives Gibbs, Blanksma, Kingsley, Christensen, Lickley, Erickson, Ferch, Mitchell, Chew (Fuller), Rubel, Davis  
**ABSENT/  
EXCUSED:** Representative(s) Davis  
**GUESTS:** Kris Ellis, NPI & IPA; Brody Aston, Westerberg

**Chairman Wood** called the meeting to order at 9:00 a.m. He welcomed new committee members **Reps. Erickson, Ferch, and Mitchell**. Also welcomed was **Rep. Fuller**, who is substituting for **Rep. Chew**. The committee page, **Matthew Chrysler**, was introduced.

**Tim Frost**, Regulatory Affairs Manager, Division of Occupational and Professional Licenses (DOPL), appeared before the committee to present the DOPL Administrative Rules. Each omnibus rule docket was previously approved and reviewed in 2020 by the legislature. Changes have been made in alignment with the Red Tape Reduction Act.

**DOCKET NO. 24-0301-2000F:** **Docket No. 24-0301-2000F**, Rules of the State Board of Chiropractic Physicians, is updated to cross-reference Idaho Code 54-704(5) and incorporate the term "compounding pharmacy." The \$175 clinical nutrition certification fee has been reinstated.

**DOCKET NO. 24-0601-2000F:** There are no changes to **Docket No. 24-0601-2000F**, Rules for the Licensure of Occupational Therapists and Occupational Therapy Assistants.

**DOCKET NO. 24-0901-2000F:** There are no changes to **Docket No. 24-0901-2000F**, Rules of the Board of Examiners of Nursing Home Administrators.

**DOCKET NO. 24-1001-2000F:** **Docket No. 24-1001-2000F**, Rules of the State Board of Optometry, has been streamlined to omit duplicated sections relating to board meetings.

**DOCKET NO. 24-1101-2000F:** There are no changes to **Docket No. 24-1101-2000F**, Rules of the State Board of Podiatry.

**DOCKET NO. 24-1401-2000F:** **Docket No. 24-1401-2000F**, Rules of the State Board of Social Work Examiners. has been changed to remove the stipulated board meeting frequency and allow meeting scheduling dictated by the board's business.

**DOCKET NO. 24-1601-2000F:** **Docket No. 24-1601-2000F**, Rules of the State Board of Acupuncture, removes redundant meeting requirements found in other sections of Idaho Code.

**DOCKET NO. 24-1701-2000F:** There are no changes to **Docket No. 24-1701-2000F**, Rules of the State Board of Acupuncture.

**DOCKET NO. 24-1901-2000F:** Duplicated information found in other Idaho Code sections has been removed from **Docket No. 24-1901-2000F**, Rules of the Board of Examiners of Residential Care Facility Administrators.

**DOCKET NO. 24-2301-2000F:** **Docket No. 24-2301-2000F**, Rules of the Speech, Hearing, and Communication Services Licensure Board, has been amended to remove reference to temporary registrations for out-of-state licensed sign language interpreters, aligning with other sections of Idaho Code.

**DOCKET NO. 24-2401-2000F:** **Docket No. 24-2401-2000F**, Rules of the Genetic Counselors Licensing Board, updates the code of ethics to the most current, widely used version.

**DOCKET NO. 24-2601-2000F:** **Docket No. 24-2601-2000F**, Rules of the Idaho Board of Midwifery, removes subsection 100.03, which is found elsewhere in Idaho Code.

**DOCKET NO. 24-2701-2000F:** **Docket No. 24-2701-2000F**, Rules of the Idaho State Board of Massage Therapy, removes duplication of meeting requirements, which are found in other Idaho Codes.

**DOCKET NO. 24-3101-2000F:** There are no changes made in **Docket No. 24-3101-2000F**, Rules of the Idaho State Board of Dentistry.

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

**MOTION:** **Vice Chairman Vander Woude** made a motion to approve **Dockets No. 24-0301-2000F, 24-0601-2000F, 24-0901-2000F, 24-1001-2000F, 24-1101-2000F, 24-1401-2000F, 24-1601-2000F, 24-1701-2000F, 24-1901-2000F, 24-2301-2000F, 24-2401-2000F, 24-2601-2000F, 24-2701-2000F, and 24-3101-2000F. Motion carried by voice vote.**

**DOCKET NO. 24-1301-2000F:** **Tim Frost**, Regulatory Affairs Manager, DOPL, on behalf of the Physical Therapy Licensure Board, presented **Docket No. 24-1301-2000F**, the omnibus reauthorization of existing rules. Pursuant to the Red Tape Reduction Act, the Board reviewed and deleted outdated and redundant sections. The Physical Therapist (PT) and Physical Therapist Assistant (PTA) inactive status has been added, along with a \$15 (PT) or \$10 (PTA) inactivation license fee which is applied to a reinstatement fee. Dry needling certification and dry needling recertification has been added with a new fee of \$25 for both.

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

**MOTION:** **Rep. Rubel** made a motion to approve **Docket No. 24-1301-2000F. Motion carried by voice vote.**

**DOCKET NO. 24-3300-2000F:** **Tim Frost**, Regulatory Affairs Manager, DOPL, on behalf of the Board of Medicine, presented **Docket No. 24-3300-2000F**, an omnibus reauthorization of six rule chapters with changes in keeping with the Red Tape Reduction Act.

The updates to the Rules for the Licensure to Practice Medicine and Osteopathic Medicine include removal of the unnecessary definitions for national associations and the commission for foreign graduates. The list of licensure requirements has been moved to the Board-approved forms. The residency requirement for full licensing for foreign medical graduates has been changed from three years to two years. Alternate supervising physicians definitions have been streamlined. Permanent changes resulting from COVID-19 waivers include synchronous direct monthly communication between the physician and physician assistant and removal of the supervising physician registration requirement.

The Rules for the Licensure of Physician Assistants (PA) were updated to remove the usage and notification of alternate supervising physician change, along with the weekly record review by a supervising physician requirement.

There were no changes made to the omnibus chapters for Licensure of Naturopathic Medical Doctors, Licensure of Athletic Trainers to Practice in Idaho, and Licensure of Dietitians.

The chapter for Licensure of Respiratory Therapists and Permitting of Polysomnographers in Idaho was amended to eliminate supervision of respiratory care providers.

Answering a committee question, **Mr. Frost** explained some of the Administrative Rules waived in the Governor's Public Health Emergency Proclamation were deemed unnecessary for reinstatement by the Board.

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

**MOTION:** **Rep. Lickley** made a motion to approve **Docket No. 24-3300-2000F**. **Motion carried by voice vote.**

**Tim Frost**, Regulatory Affairs Manager, DOPL, appeared before the committee to present omnibus reauthorization of existing rules previously reviewed and approved by the legislature which have been updated in line with the Red Tape Reduction Act. Opportunities for changes have also been identified to assist with the COVID-19 declared emergency response.

**DOCKET NO. 24-1201-2000F:** **Docket No. 24-1201-2000F**, Rules of the Idaho State Board of Psychologist Examiners, has been amended to remove the location requirement of supervising service extenders, allowing for remote review. The category III licensed psychologist service extender definition has been updated to include those with either a master's or bachelor's degree.

**DOCKET NO. 24-1501-2000F:** **Docket No. 24-1501-2000F**, Rules of the Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists, updates provide a licensure by endorsement process which is consistent with the Occupational Licensing Reform Act.

**DOCKET NO. 24-3401-2000F:** **Docket No. 24-3401-2000F**, Rules of the Idaho Board of Nursing, is amended to allow senior nursing students to work as supervised new graduate nurses, beginning thirty days prior to their scheduled graduation, while preparing for the National Council Licensure Examination (NCLEX). The \$10 nurse apprentice application fee has been removed.

**DOCKET NO. 24-3601-2000F:** **Docket No. 24-3601-2000F**, Rules of the Idaho State Board of Pharmacy, has several changes. Processes simplified during COVID-19 are retained to update the technician registration process, emergency refill provisions, and dispensing limitations. The outdated Verified Accredited Wholesale Distributor (VAWD) definition is removed. The North American Pharmacist Licensure Examination (NAPLEX) score transfer during the examination registration process is changed to one year.

Answering a question, **Mr. Frost** said the DOPL restructure has provided the opportunity to review endorsement processes for all boards and to find ways to allow access to Idaho licenses when coming from states with similar requirements.

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

**MOTION:** **Rep. Lickley** made a motion to approve **Dockets No. 24-1201-2000F, 24-1501-2000F, 24-3401-2000F, and 24-3601-2000F**. **Motion carried by voice vote.**

**DOCKET NO. 24-3303-2001:** **Tim Frost**, Regulatory Affairs Manager, DOPL, presented **Docket No. 24-3303-2001**, on behalf of the Board of Medicine. The changes are a result of both the Governor's October 13, 2020, Emergency Proclamation and the Red Tape Reduction Act. Deletions include unnecessary definitions for applicants and licensure, duplicated new graduate provisional application requirements, and duplicated references to licence telehealth practice requirements.

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

**MOTION:** Rep. Lickley made a motion to approve **Docket No. 24-3303-2001. Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 9:51 a.m.

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Representative Wood  
Chair

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Irene Moore  
Secretary