

MINUTES  
**SENATE HEALTH & WELFARE COMMITTEE**

**DATE:** Monday, February 08, 2021

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

**PLACE:** Room WW54

**MEMBERS PRESENT:** Chairman Martin, Vice Chairman Riggs, Senators Heider, Agenbroad, Zito, Stennett, and Wintrow

**ABSENT/ EXCUSED:** Senators Lee and Harris

**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 Martin** called the meeting of the Senate Health and Welfare Committee (Committee) to order at 3:11 p.m.

**MINUTES APPROVAL:** **Vice Chairman Riggs** moved to approve the Minutes of January 27, 2021. **Senator Stennett** seconded the motion. The motion carried by **voice vote**.

**Senator Heider** moved to approve the Minutes of February 1, 2021. **Senator Agenbroad** seconded the motion. The motion carried by **voice vote**.

**GUBERNATORIAL REAPPOINTMENT:** **Chairman Martin** called for the vote on the gubernatorial reappointment of Elizabeth Elroy to the State Board of Environmental Quality.

**MOTION:** **Senator Heider** moved to send the gubernatorial reappointment of Ms. Elroy to the floor with recommendation that she be confirmed by the Senate. **Senator Agenbroad** seconded the motion. The motion carried by **voice vote**.

**H 35** **Relating to Health. Dr. Scott Hutton**, Epidemiology Section Manager, Idaho Department of Health and Welfare (DHW), introduced himself to the Committee. **Dr. Hutton** explained the bill repeals Idaho Code Chapter 10, Title 66 relating to the Idaho Tuberculosis Hospital (ITH) because it is an inactive provision of law. He provided a history of the ITH facility and reported the ITH closed in 1976 due to rapidly decreasing cases of tuberculosis (TB). **Dr. Hutton** added the bill is brought consistent with the Governor's Red Tape Reduction Act. He remarked that Idaho's private health care system, in collaboration with Idaho's seven public health districts, can safely initiate care for the 10 to 15 patients diagnosed with TB annually. **Dr. Hutton** noted the State no longer needs to operate a dedicated TB hospital, and the bill will not result in any negative impacts on quality of care.

**DISCUSSION:** **Senator Stennett** inquired if the ITH facility is still owned by the State. **Dr. Hutton** replied he is unsure of the status of the ITH property but will find out and let her know. **Senator Stennett** said she is curious about potential use of the property if it is still in State ownership.

**Chairman Martin** mentioned he has driven past the ITH property several times and also wondered if it is still State-owned. He clarified the ITH is in Senator Stennett's district and commented it is a large property. **Chairman Martin** asked what has changed over the years to alleviate the need for a dedicated TB hospital. **Dr. Hutton** answered that significant improvements in diagnosis and treatment of TB, including the use of new drugs, dramatically reduced the duration of treatment and number of cases.

**MOTION:** **Senator Stennett** moved to send **H 35** to the floor with a **do pass** recommendation. **Senator Heider** seconded the motion. The motion carried by **voice vote**.

**H 36** **Relating to the State Registrar of Vital Statistics.** **James Aydelotte**, State Registrar, DHW, introduced himself to the Committee. **Mr. Aydelotte** reported the bill contains two sections, the first pertaining to reporting requirements for artificial insemination (AI) and the second relating to disclosure of vital records information. He explained the first section eliminates the requirement that a couple's written consent to AI be filed by the physician with the State Registrar of Vital Statistics. **Mr. Aydelotte** advised there has never been such a filing with the Bureau of Vital Records (BVR) and no purpose exists for either the BVR or the DHW to receive the consent forms. He added the administrative rules related to this section were not reauthorized in 2019 due to the Governor's Red Tape Reduction Act. **Mr. Aydelotte** stated the bill results in no fiscal impact to any State fund.

**Mr. Aydelotte** said the DHW also proposes changes to provisions regarding the disclosure of information from vital records to enable the BVR to operate more efficiently. He advised the present law allows the BVR to disclose information only for child support enforcement and investigation of fraud related to benefit payments. **Mr. Aydelotte** commented that birth and death certificates are used to establish identity and citizenship, and they are sometimes used fraudulently or can be used to determine whether fraud was committed. He explained the bill would expand DHW's authority to provide information to relevant agencies: 1.) to combat all types of fraud, such as identity theft; 2.) when DHW finds evidence of fraud; and 3.) for child health and safety purposes. **Mr. Aydelotte** mentioned the bill would allow the DHW to better protect Idaho children and combat fraud perpetuated on Idaho citizens. He added that the changes would not require any additional expenditure of State funds.

**DISCUSSION:** **Senator Stennett** pointed out line 25 of the bill and asked if the existing language would allow someone to fraudulently create a false birth certificate or participate in other mischief. **Mr. Aydelotte** clarified that the section of the bill pertaining to fraud is separate and distinct from the AI notification requirement. He said the law was passed in 1982 and he does not know the reason for the AI reporting requirement to the BVR.

**Senator Agenbroad** inquired about the requirement to report to the doctor, and whether it is for the doctor's private records or some other purpose. **Mr. Aydelotte** responded the reason for that notification requirement is also unknown. He advised the language proposed to be repealed relates only to the DHW's role in maintaining vital statistics.

**Senator Wintrow** mentioned she had similar questions as the other Committee members and commented many single women give birth to children through AI. She asked if the DHW is merely trying to eliminate red tape involving the BVR. **Mr. Aydelotte** answered in the affirmative. **Senator Wintrow** opined the entire section is obsolete and should be repealed.

**Vice Chairman Riggs** asked the reason for keeping track of children born by AI as opposed to traditional methods. **Mr. Aydelotte** replied the DHW did not find value in tracking consent forms and that is the reason for the bill.

**TESTIMONY:** **Monica McKinley**, representing herself, stated her concern that repealing this language might create human trafficking issues.

**Mr. Aydelotte** stated is he is unfamiliar with any record of human trafficking resulting from the AI process. He reported the DHW would not bring the bill if there was concern it would lead to increased child trafficking.

**MOTION:** **Senator Wintrow** moved to send **H 36** to the floor with a **do pass** recommendation. **Senator Heider** seconded the motion. The motion carried by **voice vote**.

**ADJOURNED:** There being no further business at this time, **Chairman Martin** adjourned the meeting at 3:37 p.m.

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Senator Martin  
Chair

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Jeanne Jackson-Heim  
Secretary