

MINUTES  
**SENATE HEALTH & WELFARE COMMITTEE**

**DATE:** Monday, March 08, 2021

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

**PLACE:** Room WW54

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

**ABSENT/ EXCUSED:** Senator Agenbroad

**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 3:02 p.m.

**MINUTES APPROVAL:** **Senator Harris** moved to approve the Minutes of February 22, 2021. **Senator Heider** seconded the motion. The motion carried by **voice vote**.

**Senator Lee** moved to approve the Minutes of February 24, 2021. **Senator Harris** seconded the motion. The motion carried by **voice vote**.

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

**PRESENTATION:** **Idaho Children Are Primary - Primary Legislator Award February 2021. Patricia Kempthorne, Jarom Wagoner, and Diane Schwarz**, representing Idaho Children Are Primary (ICAP), introduced themselves to the Committee to present the Primary Legislator Award for February 2021 to Senator Lee for her work on behalf of Idaho children. They described ICAP's mission and mentioned Senator Lee's service to improve the foster care system, children's mental health services, and public school security and education programs.

**Senator Lee** said she is humbled and honored, and she thanked ICAP for the award. She recognized Senator Wintrow and the Committee for their support of children's issues.

**Chairman Martin** stated he is aware of and appreciates Senator Lee's work on behalf of children.

**Senator Wintrow** commented that Senator Lee is a role model and leader in the Legislature, and she has a heart for children. **Senator Wintrow** added that it is an honor to work with her.

**H 233** **Relating to Juveniles. Representative Marco Erickson**, District 33, presented **H 233**, which adds a new section to the Children's Mental Health Services Act to address a Statewide issue affecting Idaho families. **Representative Erickson** explained some parents face child abandonment charges or investigations for abuse or neglect when they take their children with severe emotional disturbances to an inpatient health facility. He stated that the bill prevents removal of a child from their parents' custody without evidence of abuse or neglect, and it directs the Idaho Department of Health and Welfare (DHW) to assemble a team to address the family's needs in collaboration with other agencies. He noted that the Statement of Purpose (SOP) contains an incorrect statute reference.

**DISCUSSION:** **Senator Lee** thanked Representative Erickson for his work on the bill and asked for clarification on the incorrect reference. **Representative Erickson** replied that the SOP should reference the Children's Mental Health Services Act.

**Vice Chairman Riggs** commented it is a challenge to modify Idaho Code to address new problems. He stated the bill is a noble effort to update statutes to meet modern standards. **Representative Erickson** answered that he was just one of a number of people who worked on the bill.

**Senator Harris** commended Representative Erickson for his efforts to tackle the issue, and he added that he did a good job with the bill.

**TESTIMONY:** The Committee received written and in-person testimony in support of **H 233** from the following: Laura Wallis, Sarah Wallis, Jennifer Zielinski, Brittany Shipley, Jessica Spendlove, Amanda Holloway, and a parent who wished to remain anonymous. Their reasons for supporting the bill included:

- Parents of children with behavioral health issues won't be punished for seeking inpatient health care.
- The bill closes a gap in the system to help keep families safe and whole.
- Children in need will have expanded mental health treatment options.
- Behavioral and mental health problems should be treated the same as physical health issues.

**MOTION:** **Senator Harris** moved to send **H 233** to the floor with a **do pass** recommendation. **Senator Wintrow** seconded the motion.

**DISCUSSION:** **Senator Lee** thanked participants for their testimony. She observed the need to balance protecting neglected and abused children with providing resources for families who deal with unimaginable circumstances.

**VOICE VOTE:** The motion to send **H 233** to the floor with a **do pass** recommendation carried by **voice vote**.

**GUBERNATORIAL APPOINTMENT:** **Committee Consideration of the Gubernatorial Appointment of Chad Henggeler to the State Board of Health and Welfare**, of Fruitland, Idaho, for a term commencing February 17, 2021, and expiring January 1, 2023. **Mr. Henggeler** introduced himself to the Committee and gave a brief overview of his background. He said he served on the Governor's Economic Rebound Advisory Committee and learned quite a bit about the DHW, and he looks forward to serving on the State Board of Health and Welfare (Board).

**DISCUSSION:** **Senator Wintrow** inquired about Mr. Henggeler's qualifications to serve on the Board. **Mr. Henggeler** replied that he has no health training but will bring an employer perspective to balance the Board's membership. He added that he has no biases and is willing to learn.

**Senator Stennett** asked if Mr. Henggeler finds any conflict between DHW's actions during the pandemic and the impact of those actions on his business. **Mr. Henggeler** responded that he knows of no conflict. He described the health measures he undertook at his business. He stated he thinks the DHW did a very good job during the pandemic and he has no issues with any of its decisions.

**Senator Lee** advised that Mr. Henggeler is her friend and neighbor, and he was a role model during the pandemic for how businesses should respond. She added that he and his family have worked to improve the community for generations.

**Chairman Martin** said a number of health professionals serve as members of the Board. He opined it is helpful to have a Board member with a business background to represent the interests of the business community.

**ADJOURNED:**

There being no further business at this time, **Chairman Martin** adjourned the meeting at 3:48 p.m.

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Senator Martin  
Chair

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Jeanne Jackson-Heim  
Secretary