

MINUTES  
**SENATE HEALTH & WELFARE COMMITTEE**

**DATE:** Thursday, April 08, 2021

**TIME:** 2:00 P.M.

**PLACE:** Room WW54

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

**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 Martin** called the meeting of the Senate Health and Welfare Committee (Committee) to order at 2:05 p.m.

**MINUTES APPROVAL:** **Senator Agenbroad** moved to approve the Minutes of March 18, 2021. **Senator Harris** seconded the motion. The motion carried by **voice vote**.

**PAGE GRADUATION:** **Honoring Page Tyler Tippetts. Chairman Martin** recognized Mr. Tippetts and asked him to describe his experience as a Senate Page. **Mr. Tippetts** stated it was enjoyable to get acquainted with the members of the Senate. He added he was somewhat familiar with Senate operations because of his grandfather's Senate service. **Mr. Tippetts** said he would highly recommend serving as a page to other high school students.

**Senator Stennett** asked what was the biggest surprise about his page duties, and his future plans. **Mr. Tippetts** responded that he was surprised at the level of respect and collegiality among Senate members. He added that he plans to work for a pest control business over the summer.

**Chairman Martin** thanked Mr. Tippetts for his good work on behalf of the Committee.

**H 315** **Relating to Public Funds. Representative Caroline Nilsson Troy**, District 5, presented **H 315**, which would designate a fund for opioid litigation settlement payments to the State. **Representative Troy** explained the bill will allow the Idaho Behavioral Health Council (BHC) to make recommendations to the Joint Finance-Appropriations Committee about how to use settlement funds through 2024 to address the effects of opioid addiction.

**Senator Agenbroad** asked what the estimated settlement amount would be. **Representative Troy** replied that the first check arrived at the Attorney General's Office last week for nearly \$2.4 million.

**Brian Kane**, Idaho Chief Deputy Attorney General, introduced himself to the Committee. **Mr. Kane** explained the check received was from one defendant, and the State expects to receive additional settlement payments. He said the settlement process is ongoing, and each plaintiff has an attorney to represent its interests. **Mr. Kane** noted any settlements to a county or municipality will go directly to those entities.

**Chairman Martin** inquired if the payments will be tied to a specific fund or purpose. **Mr. Kane** answered that funds will be apportioned among the State, local governments, and a trust fund.

**Senator Wintrow** asked who will decide how the funds are apportioned, and for confirmation that the bill will not interfere with settlement payments to counties. **Mr. Kane** replied that the bill establishes a mechanism to ensure funds are used appropriately, and it will not preclude cities and counties from receiving payments directly.

**Chairman Martin** asked if the bill would affect ongoing legal proceedings. **Mr. Kane** responded it will not; the bill simply provides a structure for the State to handle settlement funds.

**TESTIMONY:** **Rod Beck**, Commissioner, Ada County Board of Commissioners, stated that the County's attorneys believe **H 315**, as written, would have a negative impact on the County's settlement negotiations with the opioid manufacturers. **Mr. Beck** advised that he would support the bill if it is amended to add certain language proposed by the Idaho Association of Counties (IAC).

**Senator Wintrow** inquired how the IAC amendment would alter the bill. **Mr. Beck** responded that an amendment would not change the meaning of the bill but would prevent a negative impact on the County's efforts.

**Mr. Kane** advised that there is no harm in the IAC amendment, but it is unnecessary. He added that the parties' attorneys will include the necessary terms in the settlement agreements to properly direct the funds, and the bill includes no legal structure for the State to take funds meant for the counties.

**Jared Larsen**, Policy Advisor, the Governor's Office, testified in support of the bill because it will allow the BHC to develop ideas for best use of the settlement money to combat opioid addiction.

**Representative Troy** concluded by stating she is very sensitive to unintended impacts on counties, and the bill will not harm local governments in any way.

**MOTION:** **Senator Agenbroad** moved to send **H 315** to the floor with a **do pass** recommendation. **Senator Lee** seconded the motion. The motion carried by **voice vote**.

**H 336** **Relating to Juveniles.** **Senator Lee** presented the bill, which was developed over a four-year period to make improvements to the foster care system. **Senator Lee** explained the bill requires the Idaho Department of Health and Welfare (DHW) to develop a case plan for a child placed in a group home or residential treatment center, with the goal of returning the child to a traditional family placement. She said the bill sets a shorter time for DHW to communicate with the courts and instructs DHW to collaborate with the homes or treatment centers to establish the specific needs of a child.

**Senator Lee** added that the bill addresses the needs of a child who ages out of foster care. It allows the court to extend support services to a foster child through the age of 21 to help the child successfully transition to adulthood, as long as the child maintains certain employment or education requirements, she said. **Senator Lee** reported the bill would help reduce homelessness, pregnancy before the age of 21, and arrests and convictions of crimes, while increasing the likelihood of the child completing at least one year of college.

**TESTIMONY:** **Ivy Smith**, representing the Idaho Foster Youth Advisory Board (FYAB), introduced herself to the Committee. **Ms. Smith** provided a brief overview of her own experience in the foster care system from 2012-2016 and the challenges she faced upon graduation from high school. She commented that **H 336** will result in an investment in foster children's success and help them avoid negative impacts such as homelessness and teen pregnancy.

**Senator Wintrow** mentioned that Ms. Smith was her intern several years ago, and she thanked Ms. Smith for her leadership and efforts on behalf of foster children.

**Chairman Martin** thanked Ms. Smith for the positive example she provided to others and for her work on the bill.

**Emily McClure**, representing Idaho Voices for Children, testified in support of the bill for the reasons previously stated by others.

**Senator Lee** acknowledged DHW and Director Dave Jeppesen for their efforts on this issue and their readiness to provide the additional services. She said it is an honor to hear the stories of the members of the FYAB.

**MOTION:** **Senator Harris** moved to send **H 336** to the floor with a **do pass** recommendation. **Senator Stennett** seconded the motion. The motion carried by **voice vote**.

**S 1128** **Relating to Naturopathic Practitioner Licensing.** **Senator Kelly Anthon**, District 27, explained the bill is a companion to 2019 legislation, and creates a licensing structure and standards for naturopathic health practitioners. **Senator Anthon** commented that since the Committee held its first hearing on the bill, stakeholders developed some amendments to address previously stated concerns. He requested that the Committee send the bill to the 14th Order of Business to allow the stakeholders to continue working to gain consensus on the amendments.

**TESTIMONY:** **Ken McClure**, on behalf of the Idaho Medical Association, testified in opposition to **S 1128** because the amendments are inadequate to address all concerns. **Mr. McClure** added that his group is committed to working with other stakeholders to improve the bill.

**Dr. Lynn Hansen**, of Burley, Idaho, testified in support of the bill because it offers safety and protection to the public, and presents an opportunity for self-regulation of naturopathic practitioners.

**MOTION:** **Senator Lee** moved to send **S 1128** to the 14th Order of Business for possible amendment. **Senator Stennett** seconded the motion.

**DISCUSSION:** **Senator Lee** mentioned the naturopathic licensure issue is an important one that has been unresolved for some time. She thanked Senator Anthon for moving the bill forward.

**Senator Stennett** commented that she participates in blended medicine and respects the naturopathy profession. She encouraged the parties to continue their efforts.

**Chairman Martin** remarked that it is important for professions to self-govern to take care of problems and improve medical services in Idaho.

**VOICE VOTE:** The motion to send **S 1128** to the 14th Order of Business for possible amendment carried by **voice vote**.

**ADJOURNED:** There being no further business at this time, **Chairman Martin** adjourned the meeting at 3:00 p.m.

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Senator Martin  
Chair

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Jeanne Jackson-Heim  
Secretary