

MINUTES
SENATE HEALTH & WELFARE COMMITTEE

- DATE:** Monday, January 17, 2022
- TIME:** 3:00 P.M.
- PLACE:** Room WW54
- MEMBERS PRESENT:** Chairman Martin, Vice Chairman Riggs, Senators Heider, Lee, Harris, VanOrden (Bair), 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 3:00 p.m.
- WELCOME:** **Chairman Martin** welcomed everyone to the first meeting. He announced a short but important agenda before turning the meeting over to Vice Chairman Riggs for Administrative Rules.
- INTRODUCTIONS:** **Chairman Martin** asked the Senate Page to step to the podium and tell the Committee about herself. **Ms. Shayanne Richardson** stated she is from Rigby and is a senior at Deseret Study Abroad Academy which is a private school where they study different countries and then go to those countries. She is 18 and loves art and animation. **Chairman Martin** asked Ms. Richardson why she wanted to be a page. **Ms. Richardson** replied that all of her siblings were pages and it was a great opportunity and experience she wanted to share with them. **Senator Heider** asked Ms. Richardson what countries she had been to. **Ms. Richardson** responded she has been to Egypt and Ecuador and most recently Washington D.C.
- Chairman Martin** announced a new secretary for this year and asked her to introduce herself. **Ms. Lena Amoah** stated she was born and raised in Caldwell. Her first career was in IT at Micron and St. Alphonsus and later was a cook at the College of Idaho and at Micron. **Ms. Amoah** believes working for the Senate would be a great opportunity to learn about the legislative system and has been enjoying it.
- Senator Martin** introduced a new committee member, Senator VanOrden, and asked her to introduce herself. **Senator VanOrden** stated she was a former member of the House of Representatives having served there for three terms. Senator Steve Bair asked her to substitute for him while he is unavailable for personal issues. She is from Pingree and grew up in Blackfoot. She is married to a potato farmer as that was her profession at this time.
- ANNOUNCEMENT:** **Chairman Martin** informed the Committee of an e-mail for them to review from the Medical Association concerning an administrative rule. **Chairman Martin** has met with the chairman from the House Health and Welfare Committee about this issue. There are some legal questions on this rule to be resolved. The docket is already in existence. He explained that it will be discussed at a later date but that he wanted the Committee to be aware of it (see Attachment 1).
- Chairman Martin** announced a new security system at the back door for everyone to be aware of.

**PASSED THE
GAVEL:**

Chairman Martin passed the gavel to Vice Chairman Riggs.

RULES REVIEW:

Vice Chairman Riggs indicated the Committee would ease into the rules and will start with a review of the rules review process. He reaffirmed the rule Chairman Martin referred to was currently under legal review. The Committee's responsibility was to review and approve all the existing rules. He noted most rules were reviewed and approved last year and unless there was a specific issue like the one from Chairman Martin, these rules will be put together in a singular motion to approve the rules that haven't changed since last year. **Vice Chairman Riggs** stated rules that have seen a language change, a statutory change, or a fee change will be assigned out and distributed to Committee members this afternoon.

Vice Chairman Riggs introduced Colby Cameron from the Idaho Division of Financial Management (IDFM) he had been invited to give a brief refresher on the rules review process, why the committee was looking at these rules that have changed and answer any specific questions about the process that members of the Committee might have.

Colby Cameron, Bureau Chief, IDFM introduced himself to the Committee. **Mr. Cameron** provided a brief overview of the Idaho administrative rules process. He explained the history of the current procedure was to review all rules every year and the process used by the agencies to develop rules. **Mr. Cameron** noted that the Governor's Executive Order 2020-01, Zero-Based Regulation, required agencies to review 20 percent of their rules each year. He reported that IDFM asked the agencies to provide meaningful information to the various legislative committees regarding their rule changes. **Mr. Cameron** suggested the Committee make one motion for each rule docket, rather than separate motions for each section of a docket. All rules went temporary July 1 and will be in effect until sine die.

Vice Chairman Riggs stated there was some confusion last year about the docket level vs. other levels. He will make sure to provide the docket number and specific rule number to make it easier to work through the rules review process.

DISCUSSION:

In response to questions from the Committee, **Mr. Cameron** responded that the rules do not show changes because they were all considered new rules. He said the agencies were encouraged to provide summaries or redline versions of rule changes to the committees. **Mr. Cameron** added that Idaho has a robust rules review process. He remarked that the agencies have conducted negotiated rulemaking and held open public meetings to develop rule changes. Mr. Cameron urged the Committee to rely on the agencies' efforts. An agency can adopt a temporary rule change in the interim if necessary to correct an error. **Mr. Cameron** noted that the Committee can approve or reject an entire docket or reject part of a docket at the section level.

Vice Chairman Riggs relayed that he has sent out copies of the redline from Mr. Frost to the Committee.

Mr. Cameron stated he is providing handouts on how to find the legislative review book online and a couple different pages detailing omnibus rulemaking, how they are described and how they are printed (see Attachment 2).

Vice Chairman Riggs reminded the Committee, rule assignments and the order

of the dockets being reviewed will be sent out this afternoon..

**PASSED THE
GAVEL:**

Vice Chairman Riggs passed the gavel to Chairman Martin.

ADJOURNED:

There being no further business at this time, **Chairman Martin** adjourned the meeting at 3:25 p.m.

Senator Martin
Chair

Lena Amoah
Secretary