

MINUTES
SENATE COMMERCE & HUMAN RESOURCES COMMITTEE

DATE: Thursday, February 24, 2022

TIME: 1:30 P.M.

PLACE: Room WW54

MEMBERS PRESENT: Chairman Patrick, Vice Chairman Souza (Funk), Senators Martin, Lakey, Guthrie, Agenbroad, Riggs, Ward-Engelking, and Burgoyne

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 Patrick** called the meeting of the Senate Commerce and Human Resources Committee (Committee) to order at 1:32 p.m.

MINUTES APPROVAL: **Senator Lakey** moved to approve the Minutes of February 17, 2022. **Senator Ward-Engelking** seconded the motion. The motion carried by **voice vote**.

H 517 **OCCUPATIONAL LICENSING - Amends existing law to provide exceptions for certain disciplinary actions against dentists.** **Mr. Chou** noted this legislation allowed dentists who work at the Idaho Department of Corrections (IDOC), employees of the vendor providing health services to the IDOC, or employees of a subcontractor of the vendor providing health services to IDOC to be employees of the IDOC. Currently, in Idaho, dentists may practice on their own behalf, as a professional services corporation, a professional limited liability company, a limited managed care plan, or an employee of a health center as defined under the Public Health Service Act. **Mr. Chou** reported this legislation ensured the Board of Dentistry could provide oversight by obtaining access to dental records and documents, and conduct enforcement proceedings if needed. In this limited circumstance of a dentist working with inmates, all dental records and documents for dental services at the IDOC are kept in Idaho and easily accessible by the Board of Dentistry. No additional funds or State effort was needed to change a dentist's employment status.

MOTION: **Senator Ward-Engelking** moved to send **H 517** to the floor with a **do pass** recommendation. **Senator Guthrie** seconded the motion. The motion carried by **voice vote**.

GUBERNATORIAL REAPPOINTMENT: **Committee Consideration of the Gubernatorial Reappointment of Jerry Edgington to the Idaho Health Insurance Exchange Board (IHIEB).** **Mr. Edgington** testified remotely. He gave a brief background of his experience. He stated he was the chair of the Marketplace Committee and would retire soon.

DISCUSSION: **Senator Martin** thanked Mr. Edgington for his service.

GUBERNATORIAL REAPPOINTMENT VOTE: **Senator Burgoyne** moved to send the gubernatorial reappointment of Jerry Edgington to the IHIEB. **Senator Ward-Engelking** seconded the motion. The motion carried by **voice vote**.

GUBERNATORIAL APPOINTMENT VOTE: **Senator Agenbroad** moved to send the gubernatorial appointment of Cynthia Fairfax to the IHIEB. **Senator Riggs** seconded the motion. The motion carried by **voice vote**.

H 551 **PERSI - Amends existing law to provide board authority to issue subpoenas.** **Don Drum**, Executive Director, Public Employees Retirement System of Idaho (PERSI), stated this was an addition of the subpoena authority of the PERSI Board noted in Idaho Code § 59-1305, Powers and Duties of the Board, providing the authority for the PERSI Board to compel production of evidence from financial institutions deemed necessary in connection with a disputed claim or in the exercise of duties. **Mr. Drum** noted this bill provided for the enforcement of subpoenas regarding financial institutions by the district courts of Ada County. He noted this legislation may have a positive impact on the dedicated fund because it would assist the PERSI Board in collection efforts to recoup overpayments to deceased members by compelling financial institutions to disclose the recipient of overpayments.

MOTION: **Senator Ward-Engelking** moved to send **H 551** to the floor with a **do pass** recommendation. **Senator Lakey** seconded the motion. The motion carried by **voice vote**.

H 552 **PERSI - Amends existing law to provide for withdrawal penalty payments and to revise a provision regarding partial withdrawal.** **Don Drum**, Executive Director, PERSI, remarked this bill replaced the term "liability" with the term "penalty" in Idaho Code § 59-1326. The term "penalty" provided for a better understanding during the bankruptcy process. **Mr. Drum** stated this legislation may have a positive impact on the State's General Fund or any dedicated or federal fund, because the change would result in larger recoveries in bankruptcy. While the PERSI fund was unaware of any pending bankruptcies, the improvement of status in bankruptcy proceedings could positively impact collection efforts.

MOTION: **Senator Ward-Engelking** moved to send **H 552** to the floor with a **do pass** recommendation. **Senator Agenbroad** seconded the motion. The motion carried by **voice vote**.

H 553 **PERSI - Adds to existing law to require background checks for certain PERSI employees.** **Don Drum**, Executive Director, PERSI, stated this bill was a request for statutory authority, in cooperation with the Idaho State Police (ISP), to perform Federal Bureau of Investigation (FBI) criminal history checks. Due to the nature of the information PERSI houses, access to the information by PERSI staff, the financial and investment transaction performed, there was a desire to maximize the ability to do a background check on employees. **Mr. Drum** indicated this legislation would have a minimal annual impact on the dedicated fund, depending upon turnover in positions that would require a national FBI criminal history background check. A fee would be charged to impacted individuals to cover the cost of undergoing a criminal history check.

MOTION: **Senator Agenbroad** moved to send **H 553** to the floor with a **do pass** recommendation. **Senator Ward-Engelking** seconded the motion. The motion carried by **voice vote**.

RS 29654 **Relating to Commercial Transactions, Property - Unanimous Consent Request for Referral to a Privileged Committee for Printing.** **Chairman Patrick** noted this RS established the notification process for a credit transaction secured by a subordinate lien on real property when the senior mortgage or other senior secured interest on real property came under foreclosure.

MOTION: **Chairman Patrick** asked for unanimous consent to send **RS 29654** to the State Affairs Committee for a print hearing. There were no objections.

ADJOURNED: There being no further business at this time, **Chairman Patrick** adjourned the meeting at 1:50 p.m.

Senator Patrick
Chair

Linda Kambeitz
Secretary