

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Monday, January 30, 2023

TIME: 9:00 A.M.

PLACE: Room EW20

MEMBERS: Chairman Vander Woude, Vice Chairman Erickson, Representatives Blanksma, Kingsley, Mitchell, Dixon(24), Gallagher, Healey, Redman, Wheeler, Chew, Rubel, Roberts

**ABSENT/
EXCUSED:** None

GUESTS: The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

Chairman Vander Woude called the meeting to order at 9:00 a.m.

MOTION: **Rep. Dixon (24)** made a motion to approve the minutes for the January 25, 2023, meeting. **Motion carried by voice vote.**

Chairman Vander Woude turned the gavel over to **Vice Chairman Erickson**.

DOCKET NO. 24-0000-2201F: **Tim Frost**, Deputy Administrator, Division of Occupational and Professional Licenses (DOPL) presented **Docket No. 24-0000-2201F** on behalf of 24 healthcare boards. Several of the boards went through the zero-based reduction (ZBR) process to prevent costly and outdated regulations and achieve more efficient operation.

After the 2022 legislative session, many of the board rule chapters were reauthorized as temporary rules without changes. Those chapter numbers and boards are: **24.03.01**, Chiropractic Physicians, **24.09.01**, Examiners of Nursing Home Administrators, **24.11.01**, Podiatry, **24.13.01**, Physical Therapy, **24.14.01**, Social Work Examiners, **24.15.01**, Professional Counselors and Marriage and Family Therapists, **24.16.01**, Dentistry, **24.19.01**, Examiners of Residential Care Facility Administrators, **24.24.01**, Genetic Counselors, **24.27.01**, Massage Therapy, **24.31.01**, Dentistry, **24.33.02**, Physician Assistants, **24.33.04**, Naturopathic Medical Doctors, **24.33.05**, Athletic Trainers to Practice in Idaho, **24.33.06**, Respiratory Therapists and Permitting of Polysomnographers in Idaho, and **24.33.07**, Dietitians.

MOTION: **Rep. Blanksma** made a motion to approve **Docket No. 24-0000-2201F, Chapters 24.03.01, 24.09.01, 24.11.01, 24.13.01, 24.14.01, 24.15.01, 24.16.01, 24.19.01, 24.24.01, 24.27.01, 24.31.01, 24.33.02, 24.33.04, 24.33.05, 24.33.06, and 24.33.07. Motion carried by voice vote.**

Mr. Frost continued presenting the remaining chapters within **Docket No. 24-0000-2201F**, all of which are ZBR rewrites to remove duplication, outdated practices, and excess grammar to improve ease of use.

The **Chapter 24.06.01** rewrite for the Board of Occupational Therapists removes a rule for physical agent modalities, which is already defined in the definition of practice.

MOTION: **Rep. Blanksma** made a motion to approve **Docket No. 24-0000-2201F, Chapter 24.06.01. Motion carried by voice vote.**

Docket No. 24-0000-2201F, Chapter 24.10.01, the Board of Optometry consolidates licensing sections and establishes general provisions. Continuing education (CE) was simplified to detail eighteen required accredited hours, six for ocular disease. A new practice standards and discipline section incorporates unprofessional conduct, gross incompetence, and patient records. The certificate fee for topically applied pharmaceutical agents was removed and the prescriptive or administration authority was simplified.

MOTION: **Rep. Blanksma** made a motion to approve **Docket No. 24-0000-2201F, Chapter 24.10.01. Motion carried by voice vote.**

Docket No. 24-0000-2201F, Chapter 24.12.01, the Board of Psychologist Examiners, was changed to incorporate by reference the code of conduct standards. A \$10 participation fee for psychological interjurisdictional compact (PSYPACT), as required by legislation passed in 2022, was added. Licensee rehabilitation rules, duplicated elsewhere were removed. CE has been updated to thirty hours every two years, including four hours in laws and ethics. Subsections relating to prescribing psychologists have been simplified to remove duplication with other statutes. The standard of practice update addresses patients without a primary care provider.

Answering a question, **Mr. Frost** said the Board changed the supervision requirements to four hours per month, with a minimum of 48 hours per year.

Dr. Virginia Page Haviland, St. Alphonsus Regional Medical Center, testified in support of **Docket No. 24-0000-2201F, Chapter 24.12.01**, stating the four hours of monthly supervision is sufficient and can be exceeded.

Dr. Kendra Westerhouse, Psychologist, Idaho Psychological Association (IPA), testified in support of **Docket No. 24-0000-2201F, Chapter 24.12.01**. The IPA supports these rules to allow access for treatment and remove barriers so psychologists can practice to the fullest extent of their education.

MOTION: **Rep. Dixon (24)** made a motion to approve **Docket No. 24-0000-2201F, Chapter 24.12.01. Motion carried by voice vote.**

Docket No. 24-0000-2201F, Chapter 24.17.01, Board of Acupuncture. The changes simplify the licensure and trainee requirements, location of the fee table, CE, and return to active practice process.

MOTION: **Rep. Dixon (24)** made a motion to approve **Docket No. 24-0000-2201F, Chapter 24.17.01. Motion carried by voice vote.**

Docket No. 24-0000-2201F, Chapter 24.23.01, Speech, Hearing, and Communication Services Board, has had multiple sections consolidated within general provisions. Prescriptive requirements and a separate license type for Speech Language Pathologist Aides have been removed. CE requirements have been simplified and the provisional permit qualifications have been streamlined.

MOTION: **Rep. Wheeler** made a motion to approve **Docket No. 24-0000-2201F, Chapter 24.23.01. Motion carried by voice vote.**

Docket No. 24-0000-2201F, Chapter 24.26.01, the Board of Midwifery, has unnecessary incorporation by reference material removed. The fee section was moved. CE was simplified. The practice standards were simplified for antepartum, intrapartum, postpartum, and newborn care.

MOTION: **Rep. Chew** made a motion to approve **Docket No. 24-0000-2201F, Chapter 24.26.01. Motion carried by voice vote.**

Docket No. 24-0000-2201F, Chapter 24.33.01, the Board of Medicine, has changes to clarify the successful completion of one year of a medical residency program, with no impact on the historical license issuance time line.

MOTION: **Rep. Mitchell** made a motion to approve **Docket No. 24-0000-2201F, Chapter 24.33.01. Motion carried by voice vote.**

Docket No. 24-0000-2201F, Chapter 24.34.01, the Board of Nursing, has had definitions and abbreviations simplified and combined into one section. Multiple licensing sections were combined into one section for LPNs, RNs, and APRNs. Discipline and persons exempted by the board were revised to align with existing statute or national association guidelines. CE requirements were removed.

MOTION: **Rep. Healey** made a motion to approve **Docket No. 24-0000-2201F, Chapter 24.34.01. Motion carried by voice vote.**

Docket No. 24-0000-2201F, Chapter 24.36.01, the Board of Pharmacy, has changes in alignment with 2022 legislation which consolidated drug outlet registrations. Definitions have been updated and moved into one section. Fees for mail service pharmacies and outsourcing facilities have been consolidated into the nonresident drug outlet fees. Pharmacist independent prescribing limitations have been removed.

Rep. Redman invoked Rule 80 stating a possible conflict of interest.

MOTION: **Rep. Chew** made a motion to approve **Docket No. 24-0000-2201F, Chapter 24.36.01. Motion carried by voice vote.**

Vice Chairman Erickson turned the gavel over to **Chairman Vander Woude**.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 9:54 a.m.

Representative Erickson
Chair

Irene Moore
Secretary