

MINUTES  
**SENATE HEALTH & WELFARE COMMITTEE**

**DATE:** Wednesday, February 15, 2023

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

**PLACE:** Room WW54

**MEMBERS PRESENT:** Chairman VanOrden, Vice Chairman Zuiderveld, Senators Lee, Harris, Bjerke, Wintrow, and Taylor

**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 VanOrden** called the meeting of the Senate Health and Welfare Committee (Committee) to order at 3:06 p.m. She announced the introduction of the New Board members was canceled.

**PASSED THE GAVEL:** Chairman VanOrden passed the gavel to Vice Chairman Zuiderveld.

**DOCKET NO. 16-0418-2201** **Children's Agencies and Residential Licensing (New Chapter) - Proposed Rule. Frede Teske**, Division of Licensing and Certification explained this new chapter had become IDAPA Rule 16.06.02, as it separated programs and clarified requirements for licensing and child care facilities, and implemented some definition changes.  
There were changes made to the Case Manager requirements in section 217.03, and section 552 outlined training guidelines. Sections 221 and 222 removed the hours requirement and added more specific training.

**DISCUSSION:** **Senator Lee** inquired about the definitions changes, as it differed from what was already in statute. **Ms. Teske** replied she would get back to the Committee about what statute it was taken from.  
**Chairman VanOrden** moved to hold **Docket No. 16-0418-2201** for a time certain at the call of the Chair. **Senator Lee** seconded the motion. The motion carried by **voice vote**.

**DOCKET NO. 16-0601-2201** **Child and family Services - Temporary and Proposed Rule. Kaela Whitehead**, Division of FACS FACS requested a reimbursement increase of foster parents following the passing of H 733. JFAC approved that request and utilized additional funds to make the increase effective April 1st, 2022. This proposed legislation was needed to accurately reflect reimbursement rates to foster parents.

**DISCUSSION:** **Senator Bjerke** asked for clarification on the fee change. **Ms. Whitehead** replied Idaho was low in comparison to other states. **Senator Lee** asked if those payments were to support foster families. **Ms. Whitehead** replied this was not a fee that was changed. It was the increase of the payments that foster parents received to support foster children in their homes.  
**Chairman VanOrden** asked if this was a reflection of the reimbursement given during the 2022 session. **Ms. Whitehead** replied that was correct.

**MOTION:** **Senator Wintrow** moved to approve **Docket No. 16-0601-2201**. **Chairman Van Orden** seconded the motion. The motion carried by **voice vote**.

**DOCKET NO.  
16-0602-2201**

**Child Care and Foster Care Licensing (ZBR Chapter Rewrite, Fee Rule) - Proposed Rule. Kaela Whitehead**, Division of Family and Child Services (FACS) explained that chapter had been renamed Child Care and Foster Care Licensing requirements, and would be added to the foster care licensing rules in alignment with state policy and the model licensing standards, as identified in IDAPA 115 through 123. These licensing rules were needed to ensure children in temporary, out-of-home care had safe physical surroundings, and the individuals licensed to care for them were physically and emotionally able to provide for that care.

**DISCUSSION:**

**Senator Lee** asked for an explanation on the variance in subsection 100.05. **Ms. Whitehead** replied a variance may be provided in regards to a non safety issue for the children or child, and must be resolved within six months of the variance being issued.

**Senator Lee** questioned the six month time period in subsection three, as it had changed from approval not to exceed six months to approved annually. **Ms. Whitehead** replied she would provide that information at a later date.

**Senator Wintrow** asked in there were substantive changes that should be reviewed. **Ms. Whitehead** stated licensing and certification were removed, added exceptions were to having six or more children in a home, rabies vaccine for dogs, and clarified what medication was.

**Chairman VanOrden** asked Ms. Whitehead to point out the section that showed exceptions to the number of children, as she had a constituent call about that. **Ms. Whitehead** stated it was section 442, which previously had a cap, but it did not specifically identify what the exceptions were to the cap of children in the home.

**Senator Lee** asked how much discretion was provided in regards to waivers in the variants. **Cameron Gilliland**, Department of Health and Welfare, replied that waivers would come to him as the administrator. Occasionally relatives would want to foster children that may be in a situation that did not pose danger to the child, but may violate those rules, such as family living in a motor home. After inspection of that motor home, a waiver to that license could be issued.

**MOTION:**

**Chairman VanOrden** moved to approve **Docket No. 16-0602-2001**. **Senator Lee** seconded the motion. The motion carried by **voice vote**.

**DOCKET NO.  
16-0601-2202**

**Child and Family Services - Proposed Rule. Julie Sevcik, Andie Blackwood**, Division of FACS explained Idaho was to receive federal approval of a five year prevention plan that outlined requirements that define when funds may be used to support children remaining with their family. This would require the department enter into multiple contracts with private agencies under state contract requirements when multiple contracts were issued for the same service.

**PASSED THE  
GAVEL:**

Vice Chairman Zuiderveld passed the gavel back to Chairman VanOrden.

**MOTION:**

**Senator Lee** moved to approve **Docket No. 16-0601-2202**. **Senator Wintrow** seconded the motion. The motion carried by **voice vote**.

**ADJOURNED:**

There being no further business at this time, **Chairman VanOrden** adjourned the meeting at 3:54 p.m.

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Senator VanOrden  
Chair

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Michelle Tierney  
Secretary