

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Tuesday, March 07, 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.

H 223: **Rep. Dori Healey**, District 15, presented **H 223**, which updates the Medical Consent and Natural Death Act to bring it into alignment with current practice. The updates include definitions, procedures, terminology, Physician Orders for Scope of Treatment (POST), online access, and creating documents.

MOTION: **Rep. Redman** made a motion to send **H 223** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Healey** will sponsor the bill on the floor.

H 215: **Rep. Jordan Redman**, District 3, presented **H 215**. He declared Rule 80. This legislation provides the Department of Insurance with the ability to enforce Title 41, Section 349, for Pharmacy Benefit Managers (PBMs).

MOTION: **Rep. Healey** made a motion to send **H 215** to the floor with a **DO PASS** recommendation.

Marcus Hurst, testified **in support** of **H 215**. To circumvent this law, the PBMs have adjusted contracts and the terms of service as well as redefined what is being enforced. Enforcing penalties will cause their compliance. Further steps are still needed.

Robert Broulim, President, Broulim Supermarkets, testified **in support** of **H 215**. The low PBM reimbursements do not reflect fair trade. Pharmacies need our help to stay in business.

Tyler Higgins, testified **in support** of **H 215**. The PBM fight is becoming very difficult and pharmacy managers are being lost.

Rob Geddes, Albertson's Companies, testified **in support** of **H 215**, which addresses the lack of accountability enforcement. He expressed concern regarding the growth of pharmacy deserts caused by pharmacies going out of business.

Answering a question regarding a conflict of interest when PBMs own pharmacies, he said it is called vertical integration with all supply chain levels owned by the same company. PBMs who own mail order or brick and mortar pharmacies use incentives to steer patients away from other pharmacies. Other states have prohibited patient steering, allowing patients to select their own pharmacies.

Pam Eaton, President, Idaho Retailers' Association, testified **in support** of **H 215**. She reiterated the importance of addressing the PBM issue and helping pharmacists who are struggling to survive.

Rep. Rod Furniss, District 31, testified **in support** of **H 215**, expressing his concern regarding PBM reimbursements below sales prices and pharmacies being forced to take PBM contracts. Rural pharmacies are important for customers needing medication to survive. Pharmacists love their customers and employees. They want to stay in business.

Corey Crider, Self, testified **in support** of **H 215**. This PBM bill is a big step in addressing closing pharmacies and patient steering. Patient care is important. There is a need to stop the alarming rate of pharmacy closures.

VOTE ON MOTION:

Chairman Vander Woude called for a vote on the motion to send **H 215** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Redman** will sponsor the bill on the floor.

UNANIMOUS CONSENT REQUEST:

On behalf of the sponsor, **Chairman Vander Woude** made a unanimous consent request to **HOLD H 270** in committee. There being no objection, the request was granted.

H 244:

Because the sponsor did not appear, **Chairman Vander Woude** stated **H 244** will be held for rescheduling.

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 9:25 a.m.

Representative Vander Woude
Chair

Irene Moore
Secretary