

MINUTES
SENATE HEALTH & WELFARE COMMITTEE

DATE: Tuesday, March 14, 2023

TIME: 2:00 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 Health and Welfare Committee (Committee) to order at 2:06 p.m. She announced a change in order of the agenda.

GUBERNATORIAL APPOINTMENT VOTE: **Senator Harris** moved to send the Gubernatorial Appointment of Dan Schmidt to the floor with the recommendation he be confirmed by the Senate. **Senator Wintrow** seconded the motion. The motion carried by **voice vote**.

GUBERNATORIAL REAPPOINTMENT VOTE: **Senator Taylor** moved to send the Gubernatorial Reappointment of Mark Bowen to the floor with the recommendation he be confirmed by the Senate. **Senator Wintrow** seconded the motion. The motion carried by **voice vote**.

H 61 **TELEHEALTH ACCESS ACT - Adds to existing law to provide for mental and behavioral health care.** **Representative Young** explained it created an interstate compact with mental health providers from other states through a registration process. The word 'credential' was removed and replaced with 'registration'.

DISCUSSION: **Senator Harris** inquired as to why 'registered' replaced 'credential'. **Representative Young** stated the insurance provider used 'credential' in a different context to avoid confusion. **Senator Harris** asked why registration was a better term to use, as both words had different meaning. **Representative Young** believed in terms of the legislation, there were concerns that the term 'credential' would somehow be interpreted as the equivalent of an insurance credential.

Senator Taylor asked why an out of state provider would only pay \$35 dollar fee per year where a provider in Idaho would pay \$125 dollars. **Representative Young** responded the out of state provider would need to pay the licensing fees in their home state.

Senator Wintrow inquired how a provider licensed in another state could practice in Idaho through a computer. **Representative Young** stated that currently, Idaho prohibited telehealth. **Senator Wintrow** asked how Idaho could hold a registered, out of state provider accountable, who was not licensed in this State. **Representative Young** stated that provider may not meet Idaho's exact requirements, however those requirements would be similar.

Vice Chairman Zuiderveld asked when the provider filled out the registration paperwork, what the difference would be between that registration and the credential information that they would need to share. **Representative Young** stated the bill stipulated what information must be included.

Senator Bjerke asked in creating this compact with other states, how much it would help address Idaho's behavioral health needs. **Representative Young** replied it could help make providers more accessible.

Senator Taylor inquired as to how prescribing medication through telehealth would be addressed, as it does not require an initial in person visit.

Representative Young stated prescribing would be regulated, as it was for other Idaho providers providing telehealth care.

Senator Wintrow asked how an out of state provider could legally practice telehealth if they moved to Idaho and still held their license in another state.

Representative Young was not sure how that would work.

TESTIMONY:

Rod Furniss testified in support of **H 061**. As an insurance agent, telehealth had become a popular way to give care, which reduced cost over time. It had become live saving. **Senator Harris** asked if insurance companies were comfortable covering registered doctors who practiced in Idaho. **Mr. Furniss** replied he was informed the physician would need to be duly licensed to receive money back or be paid by the insurance company. This included partial reimbursement.

Emilie Jackson-Edney, Kaura Adames, and Natasha Splaine-Talbott registered against H 061. **Deborah Katz**, Executive Director, Idaho Psychological Association, and **Dr. James Madara**, Idaho Medical Association, submitted written testimony against **H 061**.

Chad Yates, Idaho Counseling Association, testified in opposition of **H 061**. **Mr. Yates** informed the Committee that although the bill prohibits the licensee from practicing in a way that exceeded their training, there was no reliable way to enforce that under the bill. The term 'substantially similar' was inadequate when determining training standards. Compact legislation had been introduced and implemented in over 18 states. The counseling compact created a shared, interstate license and data system that was developed to allow near-instant verification of licensure, status, and disciplinary information, where **H 061** did not.

Senator Wintrow asked what the benefit of license and registration was to a compact. **Ms. Hatter** stated compacts were an interstate licensure data system, developed for patient safety, where the provider license was checked. **Senator Wintrow** asked what the accountability piece was and what authority the licensing board had in regards to patient safety. **Ms. Hatter** answered the licensing board that reviewed provider credentials, and those licensing requirements must be met. Under **H 061**, the licensing board could report that bad actor to the licensing state, however, that state was not required to revoke that license, whereas in a compact, their license would be revoked.

Senator Wintrow inquired if the bill was more about access or insurance. **Ms. Hatter** stated her understanding was that the provider must be licensed in the State of Idaho to receive those benefits.

Senator Harris asked if there was an issue with insurance coverage by out-of-state providers. **Representative Young** replied some claims could be partially paid, where others were considered out of network.

MOTION:

Senator Lee moved to send **H 061** to the floor with a **do pass** recommendation. **Senator Bjerke** seconded the motion. The motion carried by **voice vote**. **Senator Taylor** and **Senator Wintrow** asked they be recorded as voting nay.

PRESENTATION:

Ideal Option. **Tim Kilgallon** explained this was an addition treatment center in Idaho. He wished to inform the Committee about some dramatic changes that were taking place in the drug supply in the streets of and in the back roads of Idaho and in the rest of the country (see Attachment 1).

Chairman VanOrden asked what the average cost per person for treatment was. **Mr. Kilgallon** replied \$250 per visit was the average. **Chairman VanOrden** asked if that included prescription medication. **Mr. Kilgallon** replied no. That cost was \$30 per month through the pharmacy.

Senator Wintrow asked how many patients have been treated. **Mr. Kilgallon** replied just over one thousand.

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

Senator VanOrden
Chair

Michelle Tierney
Secretary