

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Friday, March 17, 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:** Representative(s) Blanksma, Mitchell, Dixon (24)

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 9:01 a.m.

MOTION: **Rep. Roberts** made a motion to approve the minutes for the March 14 and 15, 2023, meetings. **Motion carried by voice vote.**

RS 30638: **Rep. Marco Erickson**, District 33, presented **RS 30638** a concurrent resolution to approve the Department of Health and Welfare fee rules reviewed by the committee.

MOTION: **Rep. Healey** made a motion to introduce **RS 30638** and recommend it be sent directly to the Second Reading Calendar. **Motion carried by voice vote. Vice Chairman Erickson** will sponsor the bill on the floor.

RS 30674: **Rep. Marco Erickson**, District 33, presented **RS 30674**, a concurrent resolution for fee rules for the Division of Occupational and Professional Licenses, which were previously approved by the committee.

MOTION: **Rep. Healey** made a motion to introduce **RS 30674** and recommend it be sent directly to the Second Reading Calendar. **Motion carried by voice vote. Vice Chairman Erickson** will sponsor the bill on the floor.

H 308: **Rep. Tony Wisniewski**, District 5, presented **H 308**. This legislation expands law to provide freedom of religious rights for medical workers by stating no healthcare professional shall be required to provide any service in violation of their religious beliefs.

Answering committee questions, **Rep. Wisniewski** said further abortion stipulation protects those carved out in the existing law. As technology progresses more areas present ethical concerns, such as gene modification and removal of functioning body parts. This is a statement to medical professionals showing Idaho cares about their moral or religious beliefs and wants to make them welcome. It is another avenue for addressing the healthcare professional shortage.

The legislation states employers cannot discriminate based on a worker's dissent and how such situations are handled. This also applies when an organization is purchased or merged. This strengthens protection for doctors going out into small businesses and rural areas.

MOTION: **Rep. Healey** made a motion to **HOLD H 308** in committee.

Chad Yates, Idaho Counselor Association, testified in **opposition** to **H 308**, which weakens existing code and thereby weakens the protection of the public. When conflicts arise, he has learned to confer with colleagues or get more training.

Sheila Weaver, Clinical Social Worker, Idaho Chapter, National Association of Social Workers, testified **in opposition** to **H 308**. Denying services could hurt families when help is needed the most, especially in rural areas with limited resources.

Cindy Thorngren, President, Southwest Chapter, National Organization for Women, testified **in opposition** to **H 308**. She shared concern regarding the lack of communication or disclosure requirements.

Toni Lawson, Idaho Hospital Association, testified **in opposition** to **H 308**, which is confusing, complicated, and only opens the door for more litigation.

Elizabeth Criner, Idaho State Dental Association, testified **in opposition** to **H 308**. Small dental clinics do not always have employees who can fill in when an employee denies to give any service. The "moral conscience" definition is very broad. This legislation would repeal Idaho Code 18-611 which is an excellent provision already addressing this issue. The \$25k statutory guaranteed damages removes the requirement for any proof in a court case.

Suzie Keller, Idaho Medical Association, testified **in opposition** to **H 308**. The current statute is good and requires advance written notice to protect the patient, facility, employer, and provider. It also conflicts with licensing requirements.

Rowen Astra, Self, testified **in opposition** to **H 308**. Providers have protection under statute and federal laws. This will further inhibit access to timely care and open the door to conscience protections in other fields.

In closing remarks, **Rep. Wisniewski** stated Idaho Code 18-611 is specifically geared towards abortion. This legislation expands the intent interpretation in a court of law.

SUBSTITUTE MOTION:

Rep. Redman made a substitute motion to send **H 308** to the floor with a **DO PASS** recommendation.

ROLL CALL VOTE:

Rep. Gallagher requested a roll call vote on the substitute motion. **Motion failed by a vote of 3 AYE, 7 NAY and 3 Absent/Excused. Voting in favor** of the motion: **Reps. Kingsley, Gallagher, Redman. Voting in opposition** to the motion: **Reps. Erickson, Healey, Wheeler, Chew, Rubel, Roberts, Vander Woude. Reps Blanksma, Mitchell, Dixon (24) were absent/excused.**

VOTE ON ORIGINAL MOTION:

Chairman Vander Woude called for a vote on the motion to **HOLD H 308** in committee. **Motion carried by voice vote. Reps. Kingsley, Gallagher, and Redman** requested they be recorded as voting **NAY**.

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 10:04 a.m.

Representative Vander Woude
Chair

Irene Moore
Secretary