

MINUTES  
**SENATE HEALTH & WELFARE COMMITTEE**

**DATE:** Thursday, February 01, 2024

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

**PLACE:** Room WW54

**MEMBERS PRESENT:** Chair VanOrden, Senators Lee, Harris, Bjerke, Zuiderveld, 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:** **Chair VanOrden** called the meeting of the Senate Health and Welfare Committee (Committee) to order at 3:18 p.m.

**PASSED THE GAVEL:** Chair VanOrden passed the gavel to Senator Lee.

**RS 30936** **Relating to the Idaho Safe Haven Act.** **Senator VanOrden** explained that Idaho had previously passed the Safe Haven Act allowing mothers to surrender their newborn child to a Safe Haven Facility. This legislation allowed the facility to install and receive surrendered newborn infants through a specified newborn safety device.

**MOTION:** **Senator Taylor** moved to send **RS 30936** to print. **Senator Harris** seconded the motion. The motion carried by **voice vote**.

**PASSED THE GAVEL:** Senator Lee passed the gavel to Chair VanOrden.

**DOCKET NO. 24-3101-2301** **Rules of the Idaho State Board of Dentistry (Board) (ZBR Chapter Rewrite, Fee Rule) - Proposed Rule.** **Stephanie Lotridge**, Executive Director, stated the Board restructured the rule order to align with the other Boards. Incorporated by reference was updated and definitions and abbreviations were removed or updated. She stated the language was simplified without removing any licensure requirements or changing any fees. Unprofessional conduct remained mostly unchanged, but did simplify compliance with professional standards.

**MOTION:** **Senator Lee** moved to approve **Docket No. 24-3101-2301**. **Senator Taylor** seconded the motion. The motion carried by **voice vote**.

**DOCKET NO. 24-3301-2301** **Rules of the Board of Medicine for the Licensure to Practice Medicine and Osteopathic Medicine in Idaho - Proposed Rule.** **Nicki Chopski**, Bureau Chief, Health Professions, stated changes were made as a result of bills that were passed in 2023. The registration requirement for supervising physicians was removed and temporary registration for certain experienced international medical graduates was added. She stated the fee table was simplified and there were no proposed new fees as the current fees had been approved by the legislature in previous sessions.

**MOTION:** **Senator Wintrow** moved to approve **Docket No. 24-3301-2301**. **Senator Harris** seconded the motion. The motion carried by **voice vote**.

**DOCKET NO. 24-3601-2301**      **Rules of the Idaho State Board of Pharmacy - Proposed Rule.** **Nicki Chopski** provided details on an approved rule waiver. The waived rule required that a compounded drug could only be verified by a pharmacist. She stated this rule had been removed.

**MOTION:**      **Senator Harris** moved to approve **Docket No. 24-3601-2301**. **Senator Bjerke** seconded the motion. The motion carried by **voice vote**.

**DOCKET NO. 24-4001-2301**      **Rules for the Board of Naturopathic Health Care (Board) (New Chapter, Fee Rule) - Proposed Rule.** **Nicki Chopski** stated this new fee rule chapter was added as a result of a statute change from the 2022 Legislative Session. The chapter established the approved exams that the Board would accept as qualification for licensure, the continuing education requirements and establishment fees for licensure (\$400) and registration (\$250). She explained that the fees were anticipated to establish and maintain the Board in a stable financial position.

**DISCUSSION:**      In response to questions from Senator Lee, **Ms. Chopski** explained that the board was aware that there were some people that had issues with the original legislation, but the Board's role in authority was to promulgate rules, and so it kept its focus on that area. The Board focused on exams, continuing education, and fees. She added that any statute issues would be directed to the legislature as that was out of the purview of the Board.

**MOTION:**      **Senator Taylor** moved to approve **Docket No. 24-4001-2301**. **Senator Lee** seconded the motion. The motion carried by **voice vote**.

**DOCKET NO. 16-0603-2301**      **Daycare Licensing (New Chapter, Fee Rule) - Proposed Rule.** **Aubrie Hunt**, Program Manager, Child Care and Temporary Assistance for Needy Families, Division of Self Reliance, Idaho Department of Health and Welfare (DHW), explained that facility licensing was moved into a new chapter per the legislature's request in 2023. The new chapter incorporated existing standards and aligned with federal and other State statutes. She relayed that there were updates to safe sleep practices, annual inspections, and record keeping requirements.

**DISCUSSION:**      In response to Committee questions, **Ms. Hunt** explained that the DHW did not decrease any regulations. Changes made improved child safety by requiring parent permission to add medication or parent knowledge, awareness, and participation. She explained that there were still items missing to align with best practices, but worried that they could be seen as regulatory burdens and were not added at this time.  
**Ms. Hunt** explained that the DHW had discussed the rules with providers, but due to the timeline to get the new chapter written there was not enough time to conduct formal negotiated rulemaking. She stated the chapter was written from the previous chapter or alignment with federal law. There were language changes to comply with zero based regulation, but was done in alignment with existing regulations through the Idaho Childcare program.

**MOTION:**      **Senator Wintrow** moved to approve **Docket No. 16-0603-2301**. **Senator Lee** seconded the motion. The motion carried by **voice vote**.

**MINUTES APPROVAL:**      **Senator Harris** moved to approve the Minutes of January 09, 2024. **Senator Wintrow** seconded the motion. The motion passed by **voice vote**.

**MINUTES APPROVAL:**      **Senator Taylor** moved to approve the Minutes of January 15, 2024. **Senator Zuiderveld** seconded the motion. The motion passed by **voice vote**.

**ADJOURNED:** There being no further business at this time, **Chair VanOrden** adjourned the meeting at 4:09 p.m.

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Senator VanOrden  
Chair

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Lena Amoah  
Secretary