

MINUTES
SENATE HEALTH & WELFARE COMMITTEE

DATE: Monday, March 18, 2024

TIME: 2:00 P.M.

PLACE: Room WW54

MEMBERS PRESENT: Chair VanOrden, Senators Harris, Bjerke, Zuiderveld, Wintrow, and Taylor

ABSENT/ EXCUSED: Senator Lee

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 2:05 p.m.

MEETING MINUTES APPROVAL: **Senator Harris** moved to approve the Minutes of February 26, 2024. **Senator Taylor** seconded the motion. The motion passed by **voice vote**.

Chair VanOrden moved **H 398** to the top of the agenda.

H 398 **MEDICAID- Adds to existing law to provide for legislative approval of Medicaid state plan amendments and waivers. Representative Blanksma** stated that prior to seeking or implementing a Medicaid state plan amendment or waiver, under section 1115 or 1519 of the Social Security Act, the Department of Health and Welfare (DHW) was required to get legislative approval. This would ensure that DHW was within the lines of not creating a policy and not creating an extra expense to the State without legislative approval. She asked to have **H 398** sent to the amending order for a change to be made which clarified this applied to new programs and expansion of programs.

TESTIMONY: **Christine Pisani**, Executive Director, Idaho Council on Developmental Disabilities (ICDD), testified in opposition to the bill. She stated it was unclear how the requirement would be implemented and was concerned about the Legislature being able to meet the timeline required in order to submit the waiver applications by the deadlines (Attachment 1).

DISCUSSION: **Senator Wintrow** inquired if ICDD was concerned that current waivers could be unintentionally affected. **Ms. Pisani** stated yes, due to the difference of opinion in how "new" was interpreted. ICDD renewed waivers every five years and it often included differences in rates and services provided. She was concerned at where in the process the Legislature was informed.

MOTION: **Senator Harris** moved to send **H 398** to the 14th Order of Business for possible amendment. **Senator Bjerke** seconded the motion.

Senator Wintrow stated she would support the motion to send to the 14th Order, but would like more information and clarity from Medicaid.

VOTE: The motion passed by **voice vote**. **Senator Taylor** asked to be recorded as voting nay.

H 597 **IMMUNIZATIONS - Amends existing law to allow students of majority age to submit a signed statement for exemption from immunizations requirements.** **Senator Zuiderveld** relayed the legislation was intended to address two issues. The first was the 12th grade immunization requirement for which there was no exemption when a student was age 18 during their 12th grade school year. The requirement was found in IDAPA 16.02.15.100.06.c. The second was to prevent colleges and universities in the State of Idaho from infringing on the privacy rights of students by requiring vaccination status or the disclosure of confidential medical information as conditions of enrollment or attendance. The exemptions currently described in §39-4802, §39-1118, and IDAPA 16.02.15.110 applied only to minor children and required parent or legal guardian signature. Parents would opt their children out before 18, but they did not have the option to opt out after 18. That was what this bill did.

DISCUSSION: In response to Committee questions, **Senator Zuiderveld** stated IDAPA 16.02.15.100, already put in the rule private and parochial schools. This was related to school enrollment only.

TESTIMONY: **Titus Folks**, Vice President, Idaho Family Policy Center, testified in support of **H 597**. This addressed concerns for high school students and college students who had reached the age of maturity by offering accommodations and exceptions for those with sincerely held objections based on conscience, religious, or moral beliefs to opt out.

MOTION: **Senator Bjerke** moved to send **H 597** to the floor with a do pass recommendation. **Senator Harris** seconded the motion.

DISCUSSION: **Senator Taylor** stated the exemption was already in rule if you were in school and age limit was not necessary and this added another layer of bureaucracy. **Senator Bjerke** stated this was giving an 18 year-old who was now an adult the ability to make their own decision to opt out. **Senator VanOrden** announced that she would be voting to support the bill but reserved the right to change her vote on the floor.

VOTE: The motion passed by **voice vote**. **Senator Taylor** voted nay.

H 489 **ESSENTIAL CAREGIVERS - Amends existing law to allow for the designation of essential caregivers for in-person visitation.** **Representative Young** stated The legislation included immediate family members as essential caregivers for patients in hospitals or health care facilities. The patient could remove anyone from the essential caregiver approved list. In the case of a minor, the surrogate decision maker or guardian would be responsible for making those decisions. Those in the criminal justice system would be governed by the rules of the Idaho Department of Corrections on what would happen with visitation rather than this statute.

TESTIMONY: **Titus Folks** testified in support of **H 489**. Denying family hospital visits led to dehumanization of patients, poor patient mental health, increased patient anxiety, lack of patient mental stimulation, caused cognitive worsening, poor patient discharge planning, and poor adherence to discharge plans. Barring families from visiting loved ones led to worse outcomes for patients and often led to patients dying alone.

MOTION: **Senator Zuiderveld** moved to send **H 489** to the floor with a do pass recommendation. **Senator Taylor** seconded the motion. The motion passed by **voice vote**.

ADJOURNED: There being no further business at this time, **Chair VanOrden** adjourned the meeting at 2:30 p.m.

Senator VanOrden
Chair

Lena Amoah
Secretary