

MINUTES
SENATE HEALTH & WELFARE COMMITTEE

DATE: Tuesday, January 14, 2025

TIME: 3:00 P.M.

PLACE: Room WW54

MEMBERS PRESENT: Chair VanOrden, Vice Chairman Bjerke, Senators Harris, Zuiderveld, Lenney, Shippy, Blaylock, Keyser, and Wintrow

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 Health and Welfare Committee (Committee) to order at 3:03 p.m..

GUBERNATORIAL APPOINTMENT VOTE: **Senator Harris** moved to send the Gubernatorial appointments of **Alex Adams** as Director of the Department of Health and Welfare to the floor with the recommendation that he be confirmed by the Senate. **Senator Wintrow** seconded the motion. The motion carried by **voice vote**.

PASSED THE GAVEL: Chair VanOrden passed the gavel to Vice Chairman Bjerke.

DOCKET NO. 16-0314-2301 **Hospitals - Adoption of Temporary Rule. Jared Larsen**, Legislative and Regulatory Affairs Chief, Department of Health and Welfare (Department) stated this temporary rule kept in effect rules passed by the 2024 Legislature until July 1st, when the pending rule would come into effect.

MOTION: **Senator Harris** moved to approve **Docket No. 16-0314-2301**. **Senator Wintrow** seconded the motion. The motion carried by **voice vote**.

DOCKET NO. 16-0314-2401 **Rules Governing Hospitals (ZBR Chapter Repeal) - Pending Rule. Mr. Larsen** introduced that this rule eliminated hospitals' regulatory burden processing Centers for Medicare and Medicaid Services (CMS) patients. The previous rule was more restrictive than federal standards, and the new docket would allow hospitals to be reimbursed for CMS patients. **Mr. Larsen** noted he was working with Senator Blaylock on legislation that moved the necessary pieces of the rules to statute.

DISCUSSION **Senator Wintrow** inquired whether this rule would affect the eligibility and accessibility of Medicare and Medicaid treatment. **Mr. Larsen** asserted it would not.

MOTION: **Senator Harris** moved to approve **Docket No. 16-0314-2401**. **Senator Blaylock** seconded the motion. The motion carried by **voice vote**.

DOCKET NO. 16-0601-2402 **Child and Family Services - Temporary and Pending Rule. Mr. Larsen** explained the temporary and pending rule would allow increased compensation to resolve crisis-level deficiencies in foster homes. At the advisement of the Attorney General, the rule also clarified the appeals process for individuals substantiated for incidents of abuse, neglect or abandonment. The adoption of this rule helped situate Idaho in proper legal posture for an ongoing lawsuit.

- MOTION:** **Chair VanOrden** moved to approve **Docket No. 16-0601-2402** . **Senator Wintrow** seconded the motion. The motion carried by **voice vote**.
- DOCKET NO. 16-0601-2403** **Child and Family Services - Adoption of Temporary Rule.** **Mr. Larsen** informed the Committee this temporary rule was enacted by Director Alex Adams on his first day. This docket eliminated adoption fees for children in State custody. This docket underscored Idaho's stance as a Pro-Adoption state.
- MOTION:** **Chair VanOrden** moved to approve **Docket No. 16-0601-2403**. **Senator Wintrow** seconded the motion. The motion carried by **voice vote**.
- DOCKET NO. 16-0601-2404** **Child and Family Services - Temporary Rule.** **Mr. Larsen** shared that this docket pertained to visitation requirements of parents substantiated by the Department for crimes of sexual and physical abuse. These parent visits required direct supervision at all times, and prohibit the child from sitting on the parent's lap or engaging in unmonitored conversations.
- MOTION:** **Senator Wintrow** moved to approve **Docket No. 16-0601-2404** . **Senator Zuiderveld** seconded the motion. The motion carried by **voice vote**.
- DOCKET NO. 16-0601-2405** **Child and Family Services (ZBR Chapter Rewrite) - Pending Rule.** **Mr. Larsen** stated this docket eliminated outdated rules and included the priorly approved dockets, Docket No. 16-0601-2402 through Docket No. 16-0601-2404 as rules.
- MOTION:** **Senator Harris** moved to approve **Docket No. 16-0601-2405** . **Chair VanOrden** seconded the motion. The motion carried by **voice vote**.
- DOCKET NO. 16-0602-2401** **Foster Care Licensing (Chapter Repeal) - Temporary and Pending Rule.** **Mr. Larsen** presented this docket as eliminating an outdated rules chapter that would be replaced by Docket No. 16-0101-2401.
- MOTION:** **Senator Zuiderveld** moved to approve **Docket No. 16-0602-2401** . **Senator Shippy** seconded the motion. The motion carried by **voice vote**.
- DOCKET NO. 16-0602-2402** **Foster Care Licensing (Chapter Rewrite) - Temporary and Pending Rule.** **Mr. Larsen** explained this docket for the adoption of national model of foster family licensing standards that increased Department flexibility by:
1. Reducing the wait time of foster applications from 30 days to one day.
 2. Permitting the use of Department funding to help foster families meet home safety standards, including fire extinguishers and smoke detectors.
 3. Lowering the required age of a foster parent from 21 years old to 18 years old, thus permitting older siblings to become foster parents of their younger siblings if that is the best scenario.
- These changes set the Reasonable and Prudent Parent Standard and allowed the Department flexibility to place children with their best unique scenario.
- DISCUSSION:** **Senator Shippy** drew attention to Rule 230.02(d) on page 390, requiring foster parents to store and lock ammunition separate from guns, and voiced concern this increased foster home vulnerability. **Senator Shippy** continued that foster homes faced unique threats, and that disarming the home created unnecessary difficulty and danger for the foster parents. **Julie Sevcik**, Program Manager, Child and Family Services, stated the rule limited gun and ammunition accessibility for children. **Mr. Larsen** invited Senator Shippy to work with the Department during the interim to write more appropriate language.
- MOTION:** **Senator Wintrow** moved to approve **Docket No. 16-0602-2402** . **Senator Zuiderveld** seconded the motion. The motion carried by **voice vote**. **Senator Harris** requested that he be recorded as voting nay.

**DOCKET NO.
16-0602-2403**

Foster Care Licensing - Temporary and Pending Rule. Mr. Larsen explained that the docket fast-tracked the reapplication processes for former foster parents, insofar as the parent:

1. underwent a licensed home visit within the last 12 months,
2. left the Department in good standing,
3. agreed to follow department standards.

This docket hoped to incentivize foster parents to reapply thereby increasing the number of foster homes available.

MOTION:

Senator Harris moved to approve **Docket No. 16-0602-2403**. **Senator Wintrow** seconded the motion. The motion carried by **voice vote**.

**DOCKET NO.
16-0101-2401**

Emergency Medical Services (New Chapter) - Pending Rule. Mr. Larsen illustrated that the chapter proposed in this docket would subsume Docket No. 16-0102-2401, Docket No. 16-0105-2401, Docket No. 16-0107-2401, Docket No. 16-0112-2401, Docket No. 16-0201-2401, and Docket No. 16-0202-2401. These changes aligned Department rules with the Occupational Licensing Reform Act of 2021, which required that continuous education hour of Emergency Medical Services (EMS) workers not exceed the average of contiguous states. The Department found on average Idaho required 40% more continuous education hours and this docket reduced that time.

DISCUSSION:

Senator Wintrow inquired whether there were any large concerns expressed by EMS employees in the consolidation process. **Mr. Larsen** highlighted the Department's feedback process which included public hearing, conferences, and email surveys. **Senator Harris** asked if there was any detriment to cutting back continuous education hours and if hours were measured annual or biannually. **Mr. Larsen** articulated that the decreased requirements might incentivize individuals to stay in the EMS profession, especially those moving to Idaho from states with fewer required continuous education hours. The changes addressed shortage of EMS workers. **Wayne Denny**, EMS Bureau Chief, explained the required number of continuous education hours were based on an individual's level of experience.

MOTION:

Senator Harris moved to approve **Docket No. 16-0101-2401**. **Senator Wintrow** seconded the motion. The motion carried by **voice vote**.

**DOCKET NO.
16-0102-2401**

Emergency Medical Services (EMS) - Rule Definitions (Chapter Repeal) - Pending Rule Mr. Larsen expounded that these chapters would be removed for reasons stated in the discussion of Docket No. 16-0101-2401.

**DOCKET NO.
16-0105-2401**

Emergency Medical Services (EMS) - Education, Instructor, and Examination Requirements (Chapter Repeal) - Pending Rule.

**DOCKET NO.
16-0107-2401**

Emergency Medical Services (EMS) - Personnel Licensing Requirements (Chapter Repeal) - Pending Rule.

**DOCKET NO.
16-0112-2401**

Emergency Medical Services (EMS) - Complaints, Investigations, and Disciplinary Actions (Chapter Repeal) - Pending Rule.

**DOCKET NO.
16-0201-2401**

Idaho Time Sensitive Emergency System Council (Chapter Repeal) - Pending Rule.

**DOCKET NO.
16-0202-2401**

Idaho Emergency Medical Services (EMS) Physician Commission (Chapter Repeal) - Pending Rule.

MOTION: Since Docket No. 16-0102-2401, Docket No. 16-0105-2401, Docket No. 16-0107-2401, Docket No. 16-0112-2401, Docket No. 16-0201-2401, and Docket No. 16-0202-2401 served the same function to repeal chapters on EMS, **Senator Wintrow** moved to vote to approve all repealed chapters in the same motion. **Vice Chair Bjerke** seconded the motion to approve the Dockets in one vote. The motion to approve **Docket No. 16-0102-2401, Docket No. 16-0105-2401, Docket No. 16-0107-2401, Docket No. 16-0112-2401, Docket No. 16-0201-2401, and Docket No. 16-0202-2401** carried by **voice vote**.

PASSED THE GAVEL: Vice Chair Bjerke passed the gavel to Chair VanOrden

ADJOURNED: There being no further business at this time, Chair VanOrden adjourned the meeting at 3:45 p.m..

Senator VanOrden
Chair

Rebecca Kozlowski
Secretary