

AMENDED AGENDA #1
SENATE HEALTH & WELFARE COMMITTEE
3:00 P.M.
Room WW54
Wednesday, January 08, 2025

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ww54/>

SUBJECT	DESCRIPTION	PRESENTER
WELCOME:	Opening remarks and introduction of new committee members	Sen. VanOrden
INTRODUCTION:	Introduction of Page - Abigail Williams	Sen. VanOrden

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman VanOrden	Sen Shippy
Vice Chairman Bjerke	Sen Blaylock
Sen Harris	Sen Keyser
Sen Zuiderveld	Sen Wintrow
Sen Lenney	

COMMITTEE SECRETARY

Rebecca Kozlowski
Room: WW35
Phone: 332-1319
Email: shel@senate.idaho.gov

MINUTES
SENATE HEALTH & WELFARE COMMITTEE

DATE: Wednesday, January 08, 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 Senate Health and Welfare Committee (Committee) to order at 3:02 p.m.

WELCOME: **Chair VanOrden** welcomed the Committee to the session and introduced the new Committee secretary, Rebecca Kozlowski.

INTRODUCTION: **Abigail Williams**, Senate Page, then introduced herself. **Ms. Williams** relayed she was a senior at Oakley High School. She enjoyed track and field and volleyball, and participated in her school's Future Farmers of America Organization and student council. **Ms. Williams** was sponsored by Senator Harris.

DISCUSSION: **Chair VanOrden** stated that regular meetings for the Committee would begin on Monday, January 13th. **Vice Chair Bjerke** invited the Committee to begin reviewing the rules for the Department of Health and Welfare and stated they would be presented next week. **Senator Zuiderveld** petitioned for time between the presentation of rules and the vote to allow the Senators a thorough review. **Vice Chair Bjerke** concurred, stating that the vote to adopt rules could be flexible and determined after the presentation.

ADJOURNED: There being no further business at this time, **Chair VanOrden** adjourned the meeting at 3:14 p.m.

Senator VanOrden
Chair

Rebecca Kozlowski
Secretary

AGENDA
SENATE HEALTH & WELFARE COMMITTEE
3:00 P.M.
Room WW54
Monday, January 13, 2025

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ww54/>

SUBJECT	DESCRIPTION	PRESENTER
GUBERNATORIAL APPOINTMENT:	Committee Consideration for the Gubernatorial Appointment of Alex Adams of Eagle, Idaho, as the Director of the Department of Health and Welfare, term commencing June 5, 2024.	Alex Adams
PRESENTATION:	Administrative Rules Overview	Lauren Smyser, Policy and Regulatory Chief, Division of Financial Management

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman VanOrden
Vice Chairman Bjerke
Sen Harris
Sen Zuiderveld
Sen Lenney

Sen Shippy
Sen Blaylock
Sen Keyser
Sen Wintrow

COMMITTEE SECRETARY

Rebecca Kozlowski
Room: WW35
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MINUTES
SENATE HEALTH & WELFARE COMMITTEE

DATE: Monday, January 13, 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 Senate Health and Welfare Committee (Committee) to order at 2:59 p.m..

GUBERNATORIAL APPOINTMENT: **Committee Consideration of the Gubernatorial Appointment of Alex Adams of Eagle, Idaho, as the Director of Health and Welfare** term commencing June 5, 2024. **Mr. Adams** provided an overview of his background and vision for the Department of Health and Welfare (Department) which centered on increasing child welfare and decreasing regulations. **Mr. Adams** distributed handouts to the Committee (See Attachments 1, 2, and 3). He shared his motto "less is more," and his intention to sharply focus on a handful of matters, including foster care. **Mr. Adams** celebrated an increase in the proportion of foster homes to foster children over the past year.

DISCUSSION: **Senator Lenney** voiced concerns about misappropriation of funds within the Department as evident by the Community Partner Grant ineligible expenses in 2022, 32 million duplicate payments in August 2023, and \$2.5 million misallocated to cover employee salaries. **Mr. Adams** replied budget is a law, not a suggestion and promised increased transparency through oversight at multiple levels. **Senator Wintrow** invited Mr. Adams to share his highlights of working at the Department and the decision to focus on child welfare. **Mr. Adams** responded that internal reports and legislation had shown foster care to be an important topic with room for improvement. He enjoyed listening to and working with foster parents and was pleased by the Department's progress. **Mr. Adams** shared that though child welfare was the focus, his work as Director meant supporting employees from all fields. **Senator Shippy** volunteered that he was a foster parent and thanked Mr. Adams for the great changes within the Department. **Senator Zuiderveld** inquired about the Department's plans for areas outside of foster care. **Mr. Adams** stated increasing cost effectiveness and encouraging employment to decrease individual dependence on the state were at the top of his list. There being no further questions, **Chair VanOrden** announced that the Gubernatorial Vote for Mr. Adams would be held during the following meeting.

PRESENTATION: **Lauren Smyser**, Deputy Chief of the Division of Financial Management, presented on the administrative rule making process (Attachment 4). She outlined the Constitutional authority of the Senate to review rules and the four main types of rules: proposed, pending, final, and temporary. **Vice Chair Bjerke** petitioned clarification on temporary rules. **Ms. Smyser** replied a temporary rule would remain in effect until the pending rule became official on either July 1, 2025, or a specified date. She shared tips on accessing and reading the rule books, and concluded by inviting the Senators to use Townhall Idaho, an online forum, to access all Idaho public meetings.

DISCUSSION: Per Chair VanOrden's question, **Ms. Smyser** relayed there will be someone from her department to assist during Committee meeting the following day. **Vice Chair Bjerke** thanked Ms. Smyser for the presentation.

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

Senator VanOrden
Chair

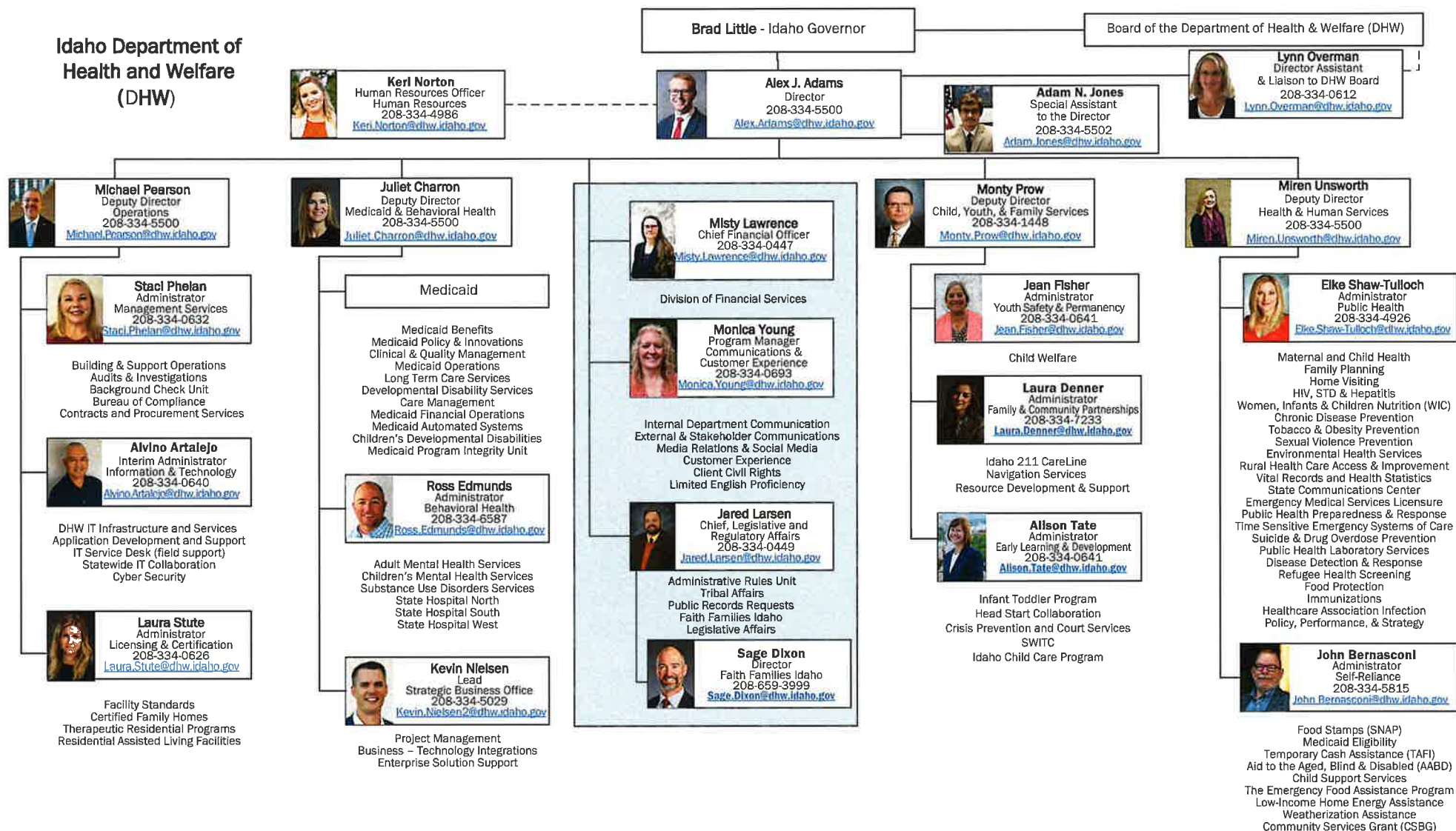
Rebecca Kozlowski
Secretary

Attachment 1



Attachment 2

Idaho Department of Health and Welfare (DHW)



Attachment 3

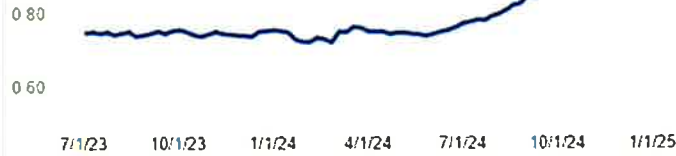
CYFS Foster Homes and Foster Children - January 6, 2025

Statewide Ratio

0.94 ▲

Last Week 0.93 (0.001)

Ratio of Foster Homes to Foster Children



Ratio by Region

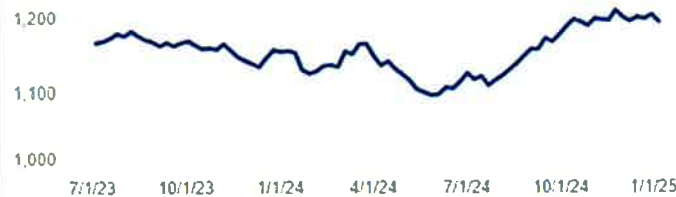
Region 1	1.33	▼
Region 2	1.13	▼
Region 3	0.79	▼
Region 4	0.88	▼
Region 5	0.81	▲
Region 6	0.87	▲
Region 7	1.09	▲
State Total	0.94	▲

Licensed Foster Homes

1,195 ▼

Last Week 1,204 (-9)

Licensed Foster Homes



Foster Homes by Region

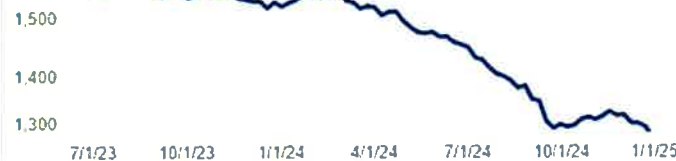
Region 1	193	▲
Region 2	61	▼
Region 3	254	▼
Region 4	257	▼
Region 5	108	▲
Region 6	157	▲
Region 7	165	▲
State Total	1,195	▼

Foster Children

1,278 ▼

Last Week 1,289 (-11)

Foster Children



Foster Children by Region

Region 1	145	▲
Region 2	54	▼
Region 3	322	▼
Region 4	292	▼
Region 5	134	▲
Region 6	180	▼
Region 7	151	▲
State Total	1,278	▼

IDHW Goal: Ratio of 1.5 Foster Homes for each Foster Child

Congregate Care Placement Trends - January 6, 2025

Congregate Care Statewide

187 ▼

Last Week 193 (-6)

In-State

137 ▼

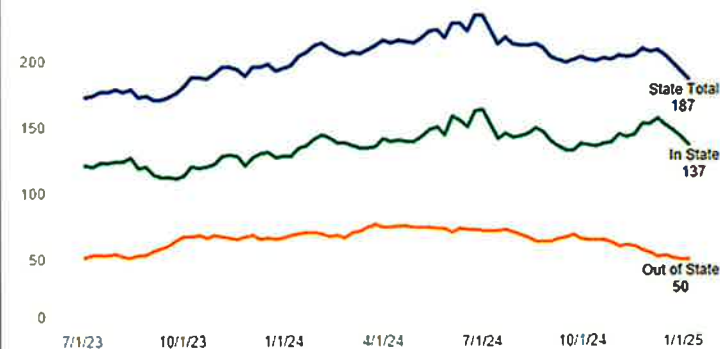
Last Week 143 (-6)

Out of State

50 —

Last Week 50 (0)

Congregate Care Placements



Count & Ratio by Region

Region 1	21 (14.5%)	(▲)
Region 2	10 (18.5%)	(▼)
Region 3	33 (10.2%)	(▲)
Region 4	54 (18.5%)	(▼)
Region 5	24 (17.9%)	(▲—)
Region 6	22 (12.2%)	(▼)
Region 7	23 (15.2%)	(▼)
State Total	187 (14.6%)	(▼)

Idaho Administrative Rules Process Overview

Office of the Administrative Rules Coordinator

Regulatory and Legislative Affairs Bureau

Lauren Smyser | Bureau Chief

Brad Hunt | Administrative Rules Coordinator

Division of Financial Management

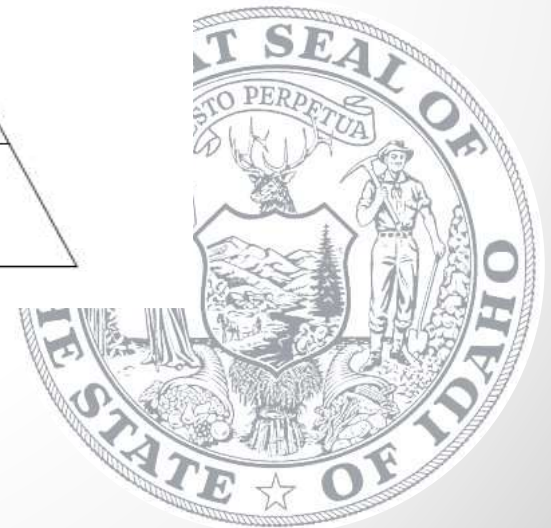
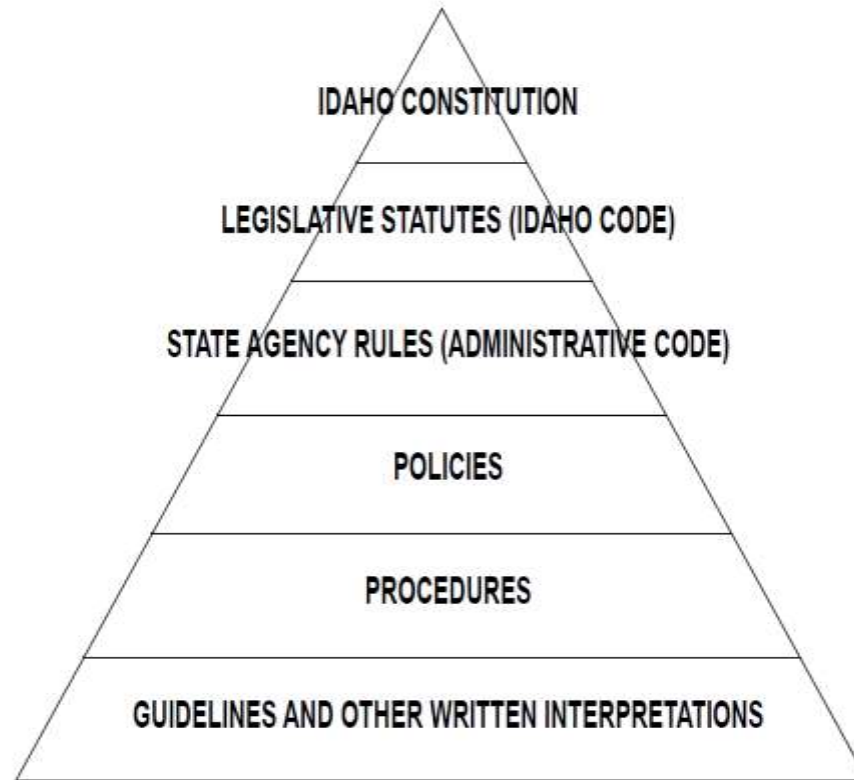
Executive Office of the Governor



DIVISION OF FINANCIAL MANAGEMENT

Executive Office of the Governor

Hierarchy of State Law & Guidance



DIVISION OF FINANCIAL MANAGEMENT

Executive Office of the Governor

Main Types of Rules

- Proposed Rule
- Pending Rule
- Final Rule
- Temporary Rule*



Authority to Adopt Rules

- A Board, Commission, or Agency must have statutory authority to adopt rules
- Agencies must follow the Administrative Procedures Act - Title 67, Chapter 52, Idaho Code



The Rulemaking Process

STEP 1: Agency Publishes Initial Notice of Negotiated Rulemaking

- Negotiated Rulemaking is conducted with stakeholders

STEP 2: Agency Publishes Notice of Proposed Rule (First Draft)

- Proposed rule adopted and prints in the Bulletin
- 21 days for public comment
- Negotiations on further changes continue as needed

STEP 3: Pending Rule Adopted and Published in Bulletin (Final Draft)

STEP 4: Legislative Review

STEP 5: Approved Rules Final on July 1

(unless a different date stipulated in concurrent resolution)



IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE

16.04.18 – CHILDREN'S AGENCIES AND RESIDENTIAL LICENSING

DOCKET NO. 16-0418-2401

NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

[LINK: LSO Rules Analysis Memo](#)

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2025 Idaho State Legislature and must be approved by concurrent resolution of the Legislature to go into effect, in accordance with Section 67-5224(2)(c), Idaho Code. Should the pending rule be approved, it will become final and effective on July 1 following the First Regular Session of the Sixty-eighth Idaho Legislature, unless the concurrent resolution states a different effective date.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Sections 39-1207, 39-1208, 39-1209, 39-1210, 39-1213, 56-1003, 56-1004A, and 56-1005(8), Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change:

Because of the updates to 16.06.02, Foster Care Licensing, this rule makes corresponding changes to the children's agencies requirements for foster homes.

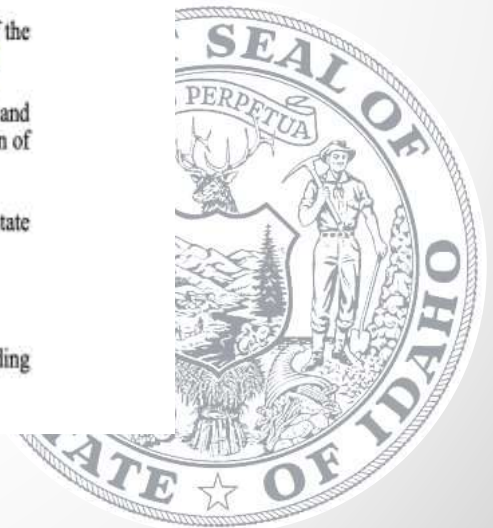
There are no changes to the pending rule and it is being adopted as originally proposed. The complete text of the proposed rule was published in the July 3rd, 2024 Idaho Administrative Bulletin, Vol. 24-7, pages 80 through 86.

FEE SUMMARY: Pursuant to Section 67-5224(2)(d), Idaho Code, a pending fee rule shall not become final and effective unless affirmatively approved by concurrent resolution of the Legislature. The following is a description of the fee or charge imposed or increased in this rulemaking: N/A

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state General Fund greater than ten thousand dollars (\$10,000) during the fiscal year:

There will not be a negative fiscal impact greater than \$10,000.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Jared Larsen at 208-334-5500.



IDAHO TRANSPORTATION DEPARTMENT
Dealer's Principal Place of Business/Consumer Asset Recovery Fund

Docket No. 39-0203-2401
PENDING RULE

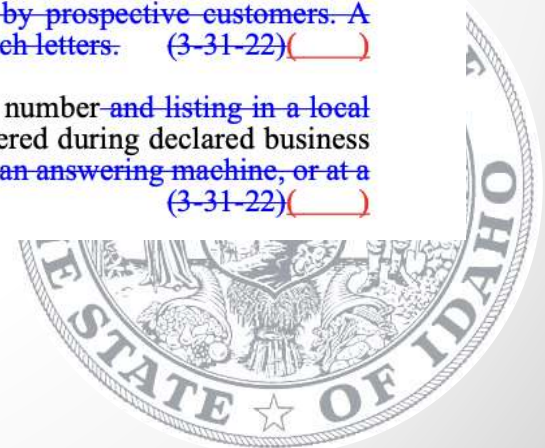
j. All electronic copies of records ~~shall~~ **will** be supplemented with a back-up copy of the electronic records, ~~either retained on-site or an off-site location, which permits the business record to be retrieved within three (3) business days.~~ (3-31-22)()

k. Any device, server, network device, or any internal or external storage medium which stores the electronic records ~~must~~ **will** have security access controls and physical security measures to protect the records from unauthorized access, viewing, or alteration. (3-31-22)()

l. Any dealer storing electronic or physical records that contain personal information ~~shall~~ **will** ensure that disposal of any records be completed in a secure manner, by shredding, erasing, or otherwise modifying the personal information to make it unreadable or undecipherable through any means. (3-31-22)()

02. Vehicle Dealer Sign Requirements. An exterior sign permanently affixed to the land or building, with clearly visible letters, visible to major avenue of traffic meeting local building or zoning codes with the trade name of the dealership clearly visible ~~is required from fifty (50) feet. Wholesale dealer signs may be painted on the window of the office next to the entrance door of sufficient size to be easily read by prospective customers. A suggested retail sign size is twenty-four (24) square feet, with a minimum of four (4) inch letters.~~ (3-31-22)()

03. Telephone. A ~~business~~ phone that has a **publicly** published business number ~~and listing in a local telephone directory~~ in the name of the dealership. Business phones ~~shall~~ **will** be answered during declared business hours, in the name of the licensed dealer. ~~The telephone may be answered in person, by an answering machine, or at a remote location in person.~~ (3-31-22)()



How to Access Rules

- **2025 Administrative Rules Review Books** | <https://adminrules.idaho.gov>
 - Select Your Committee
- OR**
- **Idaho Legislature** | <https://legislature.idaho.gov/sessioninfo/>
 - Administrative Rules Review Books



Other Highlights

- Zero-Based Regulation (ZBR)
- Legislative Periodic Review of Administrative Rules
- Townhall Idaho (Proclamation | 2022)



Questions?

CONTACT:

Lauren Smyser | lauren.smyser@dfm.idaho.gov | 208-854-3097



AGENDA
SENATE HEALTH & WELFARE COMMITTEE
3:00 P.M.
Room WW54
Tuesday, January 14, 2025

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ww54/>

SUBJECT	DESCRIPTION	PRESENTER
GUBERNATORIAL APPOINTMENT VOTE:	Committee Vote on the Gubernatorial Appointment of Alex Adams of Eagle, Idaho, as the Director of the Department of Health and Welfare.	Sen. VanOrden
<u>16-0314-2301</u>	Hospitals - Adoption of Temporary Rule	Jared Larsen, Legislative and Regulatory Affairs Chief, Department of Health and Welfare
<u>16-0314-2401</u>	Rules Governing Hospitals (ZBR Chapter Repeal) - Pending Rule	Jared Larsen
<u>16-0601-2402</u>	Child and Family Services - Temporary and Pending Rule	Jared Larsen
<u>16-0601-2403</u>	Child and Family Services - Adoption of Temporary Rule	Jared Larsen
<u>16-0601-2404</u>	Child and Family Services - Temporary Rule	Jared Larsen
<u>16-0601-2405</u>	Child and Family Services (ZBR Chapter Rewrite) - Pending Rule	Jared Larsen
<u>16-0602-2401</u>	Foster Care Licensing (Chapter Repeal) - Temporary and Pending Rule	Jared Larsen
<u>16-0602-2402</u>	Foster Care Licensing (Chapter Rewrite) - Temporary and Pending Rule	Jared Larsen
<u>16-0602-2403</u>	Foster Care Licensing - Temporary and Pending Rule	Jared Larsen
<u>16-0101-2401</u>	Emergency Medical Services (New Chapter) - Pending Rule	Jared Larsen
<u>16-0102-2401</u>	Emergency Medical Services (EMS) - Rule Definitions (Chapter Repeal) - Pending Rule	Jared Larsen
<u>16-0105-2401</u>	Emergency Medical Services (EMS) - Education, Instructor, and Examination Requirements (Chapter Repeal) - Pending Rule	Jared Larsen
<u>16-0107-2401</u>	Emergency Medical Services (EMS) - Personnel Licensing Requirements (Chapter Repeal) - Pending Rule	Jared Larsen
<u>16-0112-2401</u>	Emergency Medical Services (EMS) - Complaints, Investigations, and Disciplinary Actions (Chapter Repeal) - Pending Rule	Jared Larsen

[16-0201-2401](#)

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

Jared Larsen

[16-0202-2401](#)

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

Jared Larsen

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman VanOrden
Vice Chairman Bjerke
Sen Harris
Sen Zuiderveld
Sen Lenney

Sen Shippy
Sen Blaylock
Sen Keyser
Sen Wintrow

COMMITTEE SECRETARY

Rebecca Kozlowski
Room: WW35
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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

AMENDED AGENDA #1
SENATE HEALTH & WELFARE COMMITTEE
3:00 P.M.
Room WW54
Wednesday, January 15, 2025

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ww54/>

SUBJECT	DESCRIPTION	PRESENTER
MINUTES APPROVAL:	Minutes of January 8, 2025	Sen. Bjerke Sen. Zuiderveld
<u>16-0103-2401</u>	Emergency Medical Services (EMS) - Agency Licensing Requirements (Chapter Repeal) - Pending Rule	Jared Larsen, Legislative and Regulator Affairs Chief
<u>16-0212-2401</u>	Newborn Screening (ZBR Chapter Rewrite) - Pending Rule	Jared Larsen
<u>16-0213-2401</u>	State of Idaho Drinking Water Laboratory Certification Program (ZBR Chapter Rewrite, Fee Rule) - Pending Rule	Jared Larsen
<u>16-0501-2401</u>	Use and Disclosure of Department Records - Temporary and Pending Rule	Jared Larsen
<u>16-0605-2401</u>	Alleged Medical Neglect of Disabled Infants (Chapter Repeal) - Pending Rule	Jared Larsen
<u>16-0418-2401</u>	Children's Agencies and Residential Licensing - Temporary and Pending Rule	Jared Larsen
<u>16-0407-2401</u>	Fees for State Hospital North and State Hospital South (Chapter Repeal) - Pending Rule	Jared Larsen
<u>16-0717-2401</u>	Substance Use Disorders Services - Pending Rule	Jared Larsen
<u>16-0733-2401</u>	Adult Mental Health Services - Pending Rule	Jared Larsen
<u>16-0737-2401</u>	Children's Mental Health Services (ZBR Chapter Rewrite) - Pending Rule	Jared Larsen
<u>16-0313-2401</u>	Consumer-Directed Services (ZBR Chapter Rewrite) - Pending Rule	Jared Larsen
<u>16-0309-2401</u>	Medicaid Basic Plan Benefits (ZBR Chapter Rewrite) - Pending Rule	Jared Larsen

Public Testimony Will Be Taken by Registering Through the Following Link:
[Register to Testify](#)

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman VanOrden
Vice Chairman Bjerke
Sen Harris
Sen Zuiderveld
Sen Lenney

Sen Shippy
Sen Blaylock
Sen Keyser
Sen Wintrow

COMMITTEE SECRETARY

Rebecca Kozlowski
Room: WW35
Phone: 332-1319
Email: shel@senate.idaho.gov

MINUTES
SENATE HEALTH & WELFARE COMMITTEE

DATE: Wednesday, January 15, 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 Senate Health and Welfare Committee (Committee) to order at 3:01 p.m..

MINUTES APPROVAL: **Senator Zuiderveld** moved to approve the Minutes of January 8, 2025. **Vice Chairman Bjerke** seconded the motion. The motion carried by **voice vote**.

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

DOCKET NO. 16-0103-2401 **Emergency Medical Services (EMS) - Agency Licensing Requirements (Chapter Repeal) - Pending Rule.** **Jared Larsen**, Legislative and Regulatory Affairs Chief, Department of Health and Welfare (Department), stated that this was one of six chapters deleted and consolidated into one chapter, the replacement of which was approved by the Committee.

MOTION: **Senator Harris** moved to approve **Docket No. 16-0103-2401**. **Senator Zuiderveld** seconded the motion. The motion carried by **voice vote**.

DOCKET NO. 16-0212-2401 **Newborn Screening (ZBR Chapter Rewrite) - Pending Rule.** **Mr. Larsen** mentioned this docket consolidated rules regarding the screening of newborns. This concerned internal laboratory processes and made no substantive changes.

DISCUSSION **Senator Shippy** inquired if there was informed consent by the parents regarding retesting of infants in section 100.02(b) on page 87. **Mr. Larsen** mentioned that infant screening had been in Idaho Code since 1921 and contained religious exceptions that could be invoked.

MOTION: **Senator Blaylock** moved to approve **Docket No. 16-0212-2401**. **Chair VanOrden** seconded the motion. The motion carried by **voice vote**.

DOCKET NO. 16-0213-2401 **State of Idaho Drinking Water Laboratory Certification Program (ZBR Chapter Rewrite, Fee Rule) - Pending Rule.** **Mr. Larsen** stated that this docket consolidated rules regarding laboratory drinking water testing and outlined the changes in fee amounts. Annual base certification fee for Idaho labs increased from \$50 to \$100 per chemistry discipline. Microbiology testing moved to a flat annual fee of \$150. The base certification for out-of-state chemistry labs increased from \$50 to \$200. These fees were not expected to be burdensome and received no concerns during negotiated rule making.

DISCUSSION: **Senator Harris** asked if Idaho would be subject to potential changes in EPA regulations and what that process entailed. **Christopher Ball**, Chief of the Bureau of Laboratories, Division of Public Health, stated this rule was an update to testing for two pathogens. Since no laboratories in Idaho tested for these specific pathogens, there was no impact to the state.

MOTION: **Senator Harris** moved to approve **Docket No. 16-0213-2401**. **Senator Wintrow** seconded the motion. The motion carried by **voice vote**. **Senator Lenney** requested that he be recorded as voting nay.

DOCKET NO. 16-0501-2401 **Use and Disclosure of Department Records - Temporary and Pending Rule.** **Mr. Larsen** explicated that this docket maximized the amount of information the Department could provide foster parents regarding the needs of foster children in their care within the bounds of law.

DISCUSSION **Senator Wintrow** asked if confidentiality was covered in foster parent training. **Mr. Larsen** confirmed. **Senator Blaylock** asked if this pertained to information shared to schools and health providers. **Mr. Larsen** replied it would, if within the permits of law.

MOTION: **Senator Wintrow** moved to approve **Docket No. 16-0501-2401**. **Senator Blaylock** seconded the motion. The motion carried by **voice vote**.

DOCKET NO. 16-605-2401 **Alleged Medical Neglect of Disabled Infants (Chapter Repeal) - Pending Rule.** **Mr. Larsen** described this rule chapter was repealed and replaced with the dockets previously approved.

MOTION: **Senator Harris** moved to approve **Docket No. 16-605-2401**. **Senator Wintrow** seconded the motion. The motion carried by **voice vote**.

DOCKET NO. 16-0418-2401 **Children's Agencies and Residential Licensing - Temporary and Pending Rule.** **Mr. Larsen** explained that this rule reflected changes previously adopted and allowed the Department to add requirements concerning children's agencies.

MOTION: **Senator Harris** moved to approve **Docket No. 16-0418-2401**. **Senator Wintrow** seconded the motion. The motion carried by **voice vote**.

DOCKET NO. 16-0407-2401 **Fees for State Hospital North and State Hospital South (Chapter Repeal) - Pending Rule.** **Mr. Larsen** stated this docket duplicated other Centers for Medicare and Medicaid Services (CMS) regulations which would be repealed if approved.

DISCUSSION: **Senator Wintrow** asked if this changed the statutory obligation to provide CMS services. **Mr. Larsen** clarified it would not as the requirement existed in statute.

MOTION: **Senator Blaylock** moved to approve **Docket No. 16-0407-2401**. **Chair VanOrden** seconded the motion. The motion carried by **voice vote**.

DOCKET NO. 16-0717-2401 **Substance Use Disorders (SUD) Services - Pending Rule.** **Mr. Larsen** reported the Department was no longer a service provider for SUDs treatment and this docket allowed contractors to be certified by new credentialing bodies. This enabled workers with out-of-State credentials to fill work shortages.

TESTIMONY: **Peyton Darst**, Idaho Behavioral Health Association, spoke in support of the change to accept credentialing agencies as they provided individuals greater access to care.

MOTION: **Senator Wintrow** moved to approve **Docket No. 16-0717-2401**. **Senator Zuiderveld** seconded the motion. The motion carried by **voice vote**.

DOCKET NO. 16-0733-2401 **Adult Mental Health Services - Pending Rule.** **Mr. Larsen** noted that this docket clarified that the Department was no longer a direct service provider for adult mental health services and instead contracted out this work to Magellan Health.

MOTION: **Senator Harris** moved to approve **Docket No. 16-0733-2401**. **Senator Zuiderveld** seconded the motion. The motion carried by **voice vote**.

DOCKET NO. 16-0737-2401 **Children's Mental Health Services (ZBR Chapter Rewrite) - Pending Rule.** **Mr. Larsen** explained that this docket similarly reflected that the Department was no longer a direct service provider for children's mental health care but contracted out this work to Magellan Health.

TESTIMONY: **Brittany Shipley** of Hailey, ID voiced concerns about potential complexity resulting from contracted service providers and confusion about credentials of those determining medical necessity. At **Senator Wintrow** 's request, **Ms. Shipley** restated the need for those in complex situations to have a clear process of care and a cohesive understanding of children's needs. **Juliet Charron**, Deputy Director, Department of Health and Welfare over Medicaid and Behavioral Health, clarified the current Department practice that a specialized clinician determined medical necessity. **Chair Van Orden** asked about the process of addressing concerns with the Department. **Mr. Larsen** shared that avenues to address complaints and complex situations exist.

MOTION: **Senator Zuiderveld** moved to approve **Docket No. 16-07037-2401**. **Senator Harris** seconded the motion. The motion carried by **voice vote**.

DOCKET NO. 16-0313-2401 **Consumer-Directed Services (ZBR Chapter Rewrite) - Pending Rule.** **Mr. Larsen** explained that this docket consolidated rules without making substantive change.

DISCUSSION: **Chair VanOrden** inquired about changes to the Medicaid Advisory Committee. **Ms. Charron** noted the Department removed their mention from the rules because it appeared in federal guidelines.

MOTION: **Senator Shippy** moved to approve **Docket No. 16-0313-4301**. **Senator Zuiderveld** seconded the motion. The motion carried by **voice vote**.

DOCKET NO. 16-0309-2401 **Medicaid Basic Plan Benefits (ZBR Chapter Rewrite) - Pending Rule.** **Mr. Larsen** described this docket as a condensing of rules to contain only legislatable provisions. The docket removed Department oversight of legislative decisions, referencing 2023 House Bill No. 153, to communicate legislative power. While they received comments about Section 009, **Mr. Larsen** assured that the Department did not require individuals to alert them of medical bills that the individual had not yet received.

DISCUSSION: **Chair VanOrden** asked for clarification on 210.01(c), page 123, prohibiting reimbursement for services provided after the individual's date of death. **Ms. Charron** shared that this section assisted the Medicaid Program Integrity Unit to ensure appropriate billing. She explained further the reimbursement process of dually eligible Medicare and Medicaid providers. **Senator Blaylock** noted that expenses such as education and food delivery were not covered by Medicaid, and asked if they previously had. **Mr. Larsen** replied that the new rule clarified existing Idaho state policy without creating substantive change. **Senator Blaylock** inquired about interest on delayed payments and whether Medicaid identification cards would be considered government issued. **Mr. Larsen** replied that late payments from the Department were atypical and would follow up with more information. **Ms. Charron** clarified that since the IDs came from the state, they could not serve as federal identification. At the request of Senator Wintrow, **Ms. Charron** "pinky promised" the Committee that there were no policy changes in the docket.

MOTION: **Senator Harris** moved to approve **Docket No. 16-0309-2401**. **Senator Wintrow** seconded the motion. The motion 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 4:12 p.m..

Senator VanOrden
Chair

Rebecca Kozlowski
Secretary

AGENDA
SENATE HEALTH & WELFARE COMMITTEE
3:00 P.M.
Room WW54
Monday, January 20, 2025

For members of the public to observe the meeting, please click on the following link:
<https://www.idahoptv.org/shows/idahoinsession/ww54/>

SUBJECT	DESCRIPTION	PRESENTER
GUBERNATORIAL APPOINTMENT:	Committee Consideration of the Gubernatorial Appointment of Lance Boylan of Kellogg, ID to the Board of Environmental Quality, term commencing December 1, 2024 and expiring July 1, 2028.	Lance Boylan
GUBERNATORIAL APPOINTMENT:	Committee Consideration of the Gubernatorial Appointment of Dennis Leikam of Idaho Falls, ID to the Board of Environmental Quality, term commencing December 1, 2024 and expiring July 1, 2028.	Dennis Leikam
<u>RS 31799C1</u>	Relating to Newborn Testing	Sen. Blaylock
<u>RS 31828C1</u>	Relating to Hospital Licensing	Sen. Blaylock

If you have written testimony, please provide a copy to the committee secretary.

COMMITTEE MEMBERS

Chairman VanOrden	Sen Shippy
Vice Chairman Bjerke	Sen Blaylock
Sen Harris	Sen Keyser
Sen Zuiderveld	Sen Wintrow
Sen Lenney	

COMMITTEE SECRETARY

Rebecca Kozlowski
Room: WW35
Phone: 332-1319
Email: shel@senate.idaho.gov

MINUTES
SENATE HEALTH & WELFARE COMMITTEE

DATE: Monday, January 20, 2025

TIME: 3:00 P.M.

PLACE: Room WW54

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

ABSENT/ EXCUSED: Chair VanOrden

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: **Vice Chair Bjerke** called the meeting of the Health and Welfare Committee (Committee) to order at 3:00 p.m.

GUBERNATORIAL APPOINTMENT: **Committee Consideration of the Gubernatorial Appointment of Lance Boylan, of Kellogg, ID to the Board of Environmental Quality** term commencing December 1, 2024 and expiring July 1, 2028. **Mr. Boylan** described his fourteen years of experience as an environmental engineer focusing on water and waste management. His most recent project involved land reclamation in Yukon, Canada and he had served in management since 2022.

DISCUSSION: **Senator Shippy** petitioned Mr. Boylan's opinion on the biggest threat facing Idaho and how he would prioritize agriculture. **Mr. Boylan** noted the growing population created unique water and waste management challenges and agriculturally he would prioritize phosphate and discharge operations. **Senator Wintrow** asked what skills made Mr. Boylan a good board member and how he planned to balance competing water interests. **Mr. Boylan's** discussed how his time negotiating between the First Nations, local government, and businesses in Yukon taught him to balance interests through listening to understand. **Senator Zuiderveld** asked about first action items if Mr. Boylan were appointed. **Mr. Boylan** articulated aligning Department of Environmental Quality (DEQ) regulations with statute, along with increasing permit transparency.

GUBERNATORIAL APPOINTMENT **Committee Consideration of the Gubernatorial Appointment of Dennis Leikam of Idaho Falls, ID to the Board of Environmental Quality**, term commencing December 1, 2024 and expiring July 1, 2028. **Mr. Leikam** held a Masters Degree in Geology and throughout his time working in the West had never experienced transparency like Idaho's. **Mr. Leikam** highly respected DEQ's climate of collaboration and desired to perpetuate that legacy during his tenure on the board.

DISCUSSION: **Senator Shippy** inquired as to Mr. Leikam's opinion on the biggest threat facing Idaho and how he would prioritize agriculture. **Mr. Leikam** concurred with Mr. Boylan on the challenge of an expanding population and proposed reusing water before recycling. To prioritize agriculture, **Mr. Leikam** suggested examining water availability and connecting local farmers with educational organizations. **Senator Wintrow** asked about leadership qualities. **Mr. Leikam** mentioned his robust business experience granted him a unique vantage point to oversee DEQ. **Senator Zuiderveld** asked about Mr. Leikam's first action items if he was appointed. **Mr. Leikam** wanted to apply creative solutions to maximize both environmental protection and flexibility in business operations.

RS 31799C1 **Relating to Newborn Testing.** **Senator Blaylock** described this legislation transferred authority to regulate newborn testing from the Department of Health and Welfare (Department) to the Legislature.

MOTION: **Senator Harris** moved that **RS 31799C1** be sent to print. **Senator Shippy** seconded the motion. The motion carried by **voice vote**.

RS 31828C1 **Relating to Hospital Licensing.** **Senator Blaylock** furthered that her legislation reduced unnecessary burdens on hospitals and providers to support Centers of Medicare and Medicaid Services (CMS). She remarked that removing current state level requirement would lessen operational strain on hospitals and providers. The legislation adjusted terminology and was supported by the Department.

MOTION: **Senator Harris** moved that **RS 31828C1** be sent to print. **Senator Wintrow** seconded the motion. The motion carried by **voice vote**.

ADJOURNED: There being no further business at that time, **Vice Chair Bjerke** adjourned the meeting at 3:29 p.m.

Senator VanOrden
Chair

Rebecca Kozlowski
Secretary

Senator Bjerke
Vice Chair