

Idaho Academy of Family Physicians
2022 Legislative Report
Week 3 January 23 – January 27

Things creeping forward

The first few weeks of the 2023 legislative session seem to be moving more slowly and deliberate than usual. This can largely be attributed to the large number of new members and the patience of experienced members easing into some processes to help the new ones learn.

The first few weeks are usually dedicated to a “rules review” process in which the state agencies present administrative rules written to implement *last year’s* approved laws. This review is to ensure the intent of the legislature is accurately reflected in their implementation. Idaho is one of only four states in which such review is carried out.

WWAMI presentation in Joint Finance/Appropriations Committee (JFAC):

As an element of the University of Idaho’s various budget presentations to JFAC, Drs. Jeff Seegmiller and Frank Batcha on Friday did a great 30 minute presentation on the WWAMI medical school program. Based on some questions they got from the committee, it is clear that some members need to be constantly reminded of how the medical education “pipeline” works, and reiterates the need/desire for physicians to establish and maintain relationships with our legislators. The JFAC committee will not begin setting budgets for another four weeks or so.

Legislation of interest to IAFP:

Despite the relative slow start, there were a few new proposals introduced of interest to the IAFP this week. Expect them to come fast and furious beginning next week.

New bills of interest this week:

H020: “Child Protection – false reports” by Rep. Scott, Sen Herndon

Adds a misdemeanor criminal penalty to possible civil penalties in the case a knowingly false report, a report in bad faith, or with malice, to Child Protective Services is filed.

STATUS: introduced in House Judiciary and Rules committee on January 20, awaiting committee hearing.

H026: “Children’s Mental Health Services” by Rep. Erickson

Regarding confidentiality or disclosure of information where a parent is seeking information for Medicaid coverage. Also clarifies that providing access to such services and support is necessary reason to obtain medical records.

STATUS: Introduced in House Health and Welfare on Jan 25, awaiting full hearing.

H027: “Employee Medical Information Protection Act” by Rep. Shepherd

This bill is designed to prevent discrimination in the workplace based on vaccination status as it pertains to Coronavirus or other emergency authorized vaccines.

STATUS: Introduced in House Business committee on Jan 25, awaiting committee hearing.

H028: “Allied Health Professions Board” by Rep. Erickson, IDOPL

Creates the Allied Health Professions Board by combining the Physical Therapy Licensure Board, the dieticians licensing board, occupational therapy licensure board, board of athletic trainers, and respiratory therapy licensure board into one oversight board to regulate those entities.

STATUS: Introduced in House Health and Welfare on Jan 25, awaiting committee hearing.

H022 (formerly H002): “Local Government, sales and use tax” by Rep. Skaug, others

This bill clarifies that cities who refuse to enforce Idaho’s felony laws may have their portion of sales and use taxes withheld or curtailed by the state.

STATUS: Passed out of House State Affairs Committee on Jan 26, awaiting action by full House.

H031: “Certified Medication Assistants” by Rep. Healy

Allows additional accredited bodies to provide education and certification to CNAs who want to become MA-C certified.

STATUS: Introduced in House Health and Welfare on Jan 25, awaiting committee hearing.

H039: “WWAMI Contracts” by Rep. Berch

Repeals requirement that WWAMI students must return to practice in Idaho or repay their expenses.

STATUS: Introduced on Jan 25, sent to Ways and Means Committee (unlikely to advance).

S1005: “Daycare, immunizations” by Sen. Herndon

Requires daycare facilities to make parents/guardians aware of their right to vaccine exemptions in any case they are made aware of vaccine recommendations.

STATUS: introduced on Jan 19, awaiting hearing in Senate Health and Welfare Committee.

S1012: “Patient Right to visitation” by Sen. Bjerke

Ensures fundamental right to family to visit their relatives in a hospitals, hospices, and long-term care facilities. No health care facility may require a vaccine as condition for visitation, and every health care facility must allow their patients to be hugged by their loved ones.

STATUS: introduced on Jan 20, awaiting hearing in Senate Health and Welfare Committee.

S1029: “Child Protection, Immunizations” by Se. Lenney

Prohibits investigations and court orders terminating a parent’s relationship with their child based on the child’s immunization status.

STATUS: Introduced on Jan 26, awaiting hearing in Senate Health and Welfare Committee.

Previously introduced bills:

H002: “No Funds for Abortion Act” by Rep. Skaug

This bill would penalize any subdivision of the state (mainly cities) who by proclamation or ordinance choose to not enforce actions of state law as it relates to abortion care or services. The offending entity would be deprived of its portion of sales and use tax distribution.

*STATUS: Returned to committee. **Replaced by H022.***

S1002: “Abortion” by Sens. Herndon and Foreman

This bill changes the definition of abortion in the criminal abortion law to mean any viable fetus within the uterus and done so in an intentional manner. (the intent here is to eliminate the arguments regarding care for ectopic pregnancies or any extrauterine implantation/growth).

STATUS: Introduced in Senate State Affairs Committee on January 16, awaiting committee hearing.

It should be noted that Sen. Herndon also attempted to introduce a bill that would have eliminated the exemption of the abortion law for cases of rape or incest. That bill failed its introduction hearing in the Senate State Affairs Committee and therefore was not printed or assigned a bill number.

H003: “Physicians and Physician Assistants” by Rep. Wheeler, IDOPL

This bill would remove the registration requirement for supervising physicians for the purpose of supervising interns, residents, physician assistants, or other medical personnel.

STATUS: Introduced in House Health and Welfare on January 18, awaiting committee hearing.

H004: “Controlled Substances” by Rep. Chew, IDOPL

This is the annual conformity bill to align Idaho’s Controlled substances act with federal FDA changes. In this case, it places synthetic opioids into Schedule I, a substance to treat insomnia in Schedule IV, and an anti-convulsive substance in Schedule V.

STATUS: Introduced in House Health and Welfare on January 18, awaiting committee hearing.

S1009: “Health Rights” by Sen. Foreman

This is a list of patient rights that includes no mandates of vaccines, masks, etc; prohibits government entities from advertising the use of experimental drugs, vaccines, etc.; clarifies a patient cannot be denied treatment for refusing a vaccine; a right to informed consent; shall not be administered an experimental vaccine without express consent; right to visitation in a medical facility; and a number of other things that are currently guaranteed under the law...

STATUS: Introduced in Senate Health and Welfare on January 19, awaiting hearing.

We're expecting many more proposals of interest to IAFP and we will provide information as they come.

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