

Idaho Academy of Family Physicians  
2023 Legislative Report  
Week 5 February 6 – February 10

**Pace is picking up at the Legislature**

A large number of bills have been introduced this week as the legislature approaches a self-imposed deadline to print bills, slated for next week. As a result, most committees are still introducing and printing new bills, but still only a few have had substantial committee hearings or action. You will note that the majority of bills listed below for which we are tracking for the IAFP did not have significant action this week for that reason.

**Gender Affirming Care**

One exception to the committee hearing process this week was Rep. Skaug's bill to criminalize gender affirming medical care (H71). Despite hours of testimony, the overwhelming majority of which opposed to the bill, the House Judiciary and Rules committee passed this bill with a recommendation to the full House that it "do pass". It is now on the calendar for action by the full House and is slated for floor debate and vote on next Tuesday, February 14.

**Legislation of interest to IAFP:**

There were a few new proposals introduced of interest to the IAFP this week.

**New bills of interest this week:**

**H081: "Maternal Mortality Review Committee"** by Rep. Healy

Completely removes sunset date for the Maternal Mortality Review Committee (currently scheduled for July 1, 2023).

*STATUS: Introduced in House Health and Welfare on Feb 2 awaiting full committee hearing.*

**H084: "Rural Nursing Loan repayment"** by Rep. Healy

Creates a fund and loan repayment program to reimburse nurses for educational expenses when/if they practice in a rural health shortage area or critical access hospital. Maximum of \$25,000 total repayment based on verifiable educational cost.

*STATUS: Introduced on Feb 2 in House Health and Welfare Committee, awaiting full hearing.*

**H98: “Abortion, pregnant minors”** by Rep. Ehart, Sen. Lakey and others

Makes it illegal to take a minor out of state to procure an abortion.

*STATUS: Introduced on Feb 7 in House State Affairs committee, awaiting hearing.*

**S1050: “Child protection, notification”** by Sen. Herndon

Establishes certain rights and notification thereof, of the parents or guardian in the case of an investigation into child abuse or neglect. Rights include: right to not answer questions; right to consult with an attorney; right to refuse investigators entry into the home; and right to refuse questioning of any minor children in the home.

*STATUS: introduced on Feb 7 in Senate Judiciary and Rules committee, awaiting hearing.*

**H109: “Hospitals, property tax”** by Rep. Tanner

Eliminates property tax exemption for associated properties affiliated with a hospital facility. Administrative offices, etc. would no longer be eligible for property tax exemption – only those buildings that meet the strict definition of a hospital would qualify for exemption.

*STATUS: introduced on Feb 9 in House Revenue and Taxation Committee, awaiting hearing.*

**H110: “Property tax, hospitals”** by Rep. Tanner

Gives discretion to County Commissioners to decide if hospital properties are granted property tax exemption under their non-profit status.

*STATUS: Introduced on Feb 9 in House Revenue and Taxation Committee, awaiting hearing.*

Previously introduced bills:

**H061: “Telehealth Access Act”** by Rep. Young

This bill allows for interstate telehealth mental and behavioral health access to providers.

*Status: NO ACTION THIS WEEK. introduced on Jan 31, awaiting hearing in House Health and welfare Committee*

**H062: “Bridge year physician licensing”** by Reps. Wheeler and Dixon

Directs State Board of Medicine to create standards and new license for those physicians who have graduated from Medical school but have not matched with a residency to be able to provide certain care in the interim.

*Status: NO ACTION THIS WEEK. Introduced on Jan 31, awaiting hearing in House Health and Welfare Committee.*

**H69: “Vaccines, Coronavirus”** by Rep. Monks

Codifies the Governor’s Executive Order stating that no proof of vaccination shall be required in order to apply for or receive state services, enter a government facility or work for a state contractor.

*Status: NO ACTION THIS WEEK. Introduced on Feb 1, awaiting hearing in House State Affairs Committee*

**H71: “Gender Affirming Care”** by Rep. Skaug

Criminalizes gender affirming care for minors. Makes it a felony to provide surgery, hormone therapy, and puberty blockers to minors suffering from gender dysphoria, with jail time of ten years.

*Status: Passed House Jud and Rules committee, scheduled for House floor debate and vote on Feb 14. Introduced on Feb 2.*

**H72: “Sudden Cardiac Arrest”** by Rep. Ehlers

Removes barriers to access to Automatic External Defibrillators, by strengthening liability protections of such use under the Good Samaritan laws.

*Status: NO ACTION THIS WEEK. Introduced on Feb 2, awaiting hearing in House Judiciary, Rules, and Administration Committee.*

**S1018: “Food, Vaccines”** by Sen Nichols

Prohibits the placement of vaccines or vaccine material in food without notification of such.

*Status: NO ACTION THIS WEEK. Introduced on Jan 25, awaiting hearing in Senate Health and Welfare committee.*

**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: NO ACTION THIS WEEK. 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: NO ACTION THIS WEEK. 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: NO ACTION THIS WEEK. 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: NO ACTION THIS WEEK. 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: NO ACTION THIS WEEK. Passed full House 53-13 on Jan 30, awaiting hearing in Senate Local Government Committee. Passed out of House State Affairs Committee on Jan 26.*

**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: NO ACTION THIS WEEK. 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: NO ACTION THIS WEEK. 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: Passed Senate floor 34-0 on Feb 9, now awaiting hearing in House Health and Welfare. introduced on Jan 19.*

**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: NO ACTION THIS WEEK. introduced on Jan 20, awaiting hearing in Senate Health and Welfare Committee.*

**S1029: “Child Protection, Immunizations”** by Sen. Lenney

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

*STATUS: Passed Judiciary and Rules committee on Feb 7, awaiting action by full Senate. Introduced on Jan 26.*

**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: NO ACTION THIS WEEK. Introduced in Senate State Affairs Committee on January 16, awaiting committee hearing.*

**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: NO ACTION THIS WEEK. Passed full House 65-0 on Jan 30, awaiting action by Senate Health and welfare committee. Introduced in House Health and Welfare on January 18.*

**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: NO ACTION THIS WEEK. Passed full House 53-13 on Jan 30, awaiting action by senate Health and Welfare Committee. Introduced in House Health and Welfare on January 18.*

**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: NO ACTION THIS WEEK. 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.

Ken Burgess  
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