



Public Health
Prevent. Promote. Protect.

Idaho Public Health Districts

IDAHO ASSOCIATION OF DISTRICT BOARDS OF HEALTH

Executive Council Conference Call

Tuesday, November 10, 2020

1:00 p.m. MST/12:00 p.m. PST

Conference Call Instructions below:

<https://global.gotomeeting.com/join/673246069>

(Toll Free): 1 877 568 4106, Access Code: 673-246-069

Executive Council

Glen Bailey, District 1
Greg Johnson, District 2
Tom Dale, District 3
Elt Hasbrouck, District 4
Bob Kunau, District 5
Ken Estep, District 6
Bill Leake, District 7

District Directors

Lora Whalen
Carol Moehrle
Nikki Zogg
Russ Duke
Melody Bowyer
Maggie Mann
Geri Rackow

Guests: Seth Grigg and Kelli Brassfield, IAC

1. Call to Order & Roll Call Bob Kunau
The meeting was called to order by Bob Kunau at 1:04 p.m. MST
2. Wish Commissioner Tom Dale a Happy Birthday.....All Done
3. Additional Agenda Items Bob Kunau
No additional agenda items were named.
4. Approval of August 18, 2020 Conference Call Minutes Bob Kunau
Motion by Bill Leake, seconded by Tom Dale to approve the 08/18/2020 conference call minutes. No discussion; motion passed all in favor.
5. Preparation for the 2021 Legislative Session All
 - a) Update on what is being heard about legislative session topicsSeth Grigg

Seth shared what he was hearing and to expect for the upcoming legislative session. He thinks the focus will be COVID; PH will be on the docket for discussion. In early November, the Senate Majority Caucus issued a press release stating their intent to limit the Governor’s emergency powers. Additionally, the legislature wants to establish the ability to call itself back into session. While the

Glen Bailey
PHD 1
208.415.5102

Greg Johnson
PHD 2
208.937.2661

Tom Dale
PHD 3
208.455.5315

Elt Hasbrouck
PHD 4
208.375.5211

Robert Kunau
PHD 5
208.737.5902

Ken Estep
PHD 6
208.233.9080

Bill Leake
PHD 7
208.533.3163

Governor's authority to issue a health order may not directly affect the public health districts (PHDs), PHDs can still be impacted because we are an integral part of public health in Idaho. If there is an executive order, PH will be involved.

Seth anticipates three areas pertaining to public health will be up for discussions:

- The composition of the PHD's governing board membership. Currently, some board members are sitting commissioners, but others are non-commissioners/appointees. How the boards are comprised? Should the board membership consist only sitting commissioners? Concerns were raised about the Board of Health's (BoH) accountability to the public in case the public disagrees with the BoH's decisions. If trustees are not elected officials, what recourse the public have to hold the BoH to account?
- Another issue is whether a PHD can issue a mandate on the county if the governing county does not support or agree with the PHD? Should the PHD have the authority to issue mandate against the wishes of the county?
- Lastly, the overall authority of the PHD. Whether through its ability to quarantine, can a PHD issue a county-wide or district-wide mandate? PHDs should not have the authority to quarantine or close schools.

Seth felt the main focus on public health during the legislative session would be 1) the authority of the PHD, 2) the governance of the PHDs? and 3) what authorities do these PHDs have to issue mandates?

Ken asked if it is still an option for the commissioners to appoint their Board of Health (BoH) representatives? Bob commented that Cassia county had an appointee for several years and they never had any issues with the appointee. Bill mentioned that being a BoH member requires a significant time commitment; board members need to be in sync with their commissioners. Ken communicates with his commissioners weekly and keeps them in the loop. Glen stated that at D1 he understands that he represents county commissioners on the BoH. When there is a mandate, he makes sure that he discusses with the commissioners as a group and again one-on-one to ensure he understands their positions. Bob asked if there is need for change. Elt thinks the current system works fine. Commissioners are spread too thin with many board duties as it is. Elt asked if this question came from a few or many legislators of the Majority Caucus. Seth did not think it was the dominate feeling yet. If the majority of the legislature is not currently thinking about a change, Elt suggested to wait and see what happens. Greg agreed with Elt. If it does come up, the BoHs will be able to speak to the contributions made by the appointed board members.

Ken shared his conversations with Senator Guthrie who does not see anything wrong with the way PHDs are run. Furthermore, the senator thinks the PHDs have the right to overrule the school boards. Ken also talked to Representative Fred Wood. Wood recommended that PHDs work with Seth to negotiate any changes while keeping abreast of new developments. Elt asked Seth to let the Executive Council know if any legislator is raising the issue, so we can educate them and change their mind.

Seth suggested that we work with Reps. Blanksma and Wood by keeping in contact with them. Elt stated that Rep. Blanksma has not mentioned anything about changes to BoHs. Ken shared that Rep.

Wood was going to talk with other legislators, including senators. The general feeling is that there will be a lot on the table during this legislative session.

b) Discussion on hiring support for LPH voice with the legislature

Given the focus on public health districts, some EC members and district directors feel there is a need to find an advisor/lobbyist to help the PHDs navigate the upcoming legislative session. Mike Kane was mentioned by Tom, Elt, and Bill. Mike has worked with their districts. Elt stated that Mike would be a good candidate based on his work with D4.

Bob asked about the cost. Elt recommended a retainer fee. Seth estimated a minimum of \$30k and, more customarily, \$50 to 60k. Bill agreed that the cost was reasonable, but we should make sure it is a good investment before we incur the expense. Bob agreed and asked for the next steps. Elt felt we should wait to see what is going to be introduced first. He is not sure if we could use public funds to hire a lobbyist. Tom stated that there are lots of misconceptions about what PHDs can or cannot do. School closures are one of the examples.

c) Candidates for this advisory position

Tom suggested that we contact Mike Kane and find out his availability and fees. He may not be available or willing to do it. Ken thinks it is a good idea to give Mike a heads up. Tom volunteered to contact Mike; Melody offered to help. Bob suggested a meeting shortly before the legislative session. Elt asked Seth when the bills need to be introduced in January. Seth said early Feb is the norm, but there are many exceptions. Seth felt that bills that impact counties can come late in the session, so we just have to be vigilant.

With the pandemic, legislative session can have prolonged periods of recess. Some of the deadlines may be soft. Tom asked if there is any provision for legislators to meet virtually and be present to vote. Seth did not think so, given that the question was raised, but not resolved.

Bob asked if there will be an in-person IAC conference in February. Seth stated that the date is reserved, but it is going to be touch and go. IAC is closely monitoring the COVID status and the Governor's order. If the conference were to happen, it would be held at the Boise Center. There are too many unknowns at this time.

d) Communication channels for updates on issues. (Who does this person report to? How often?)
No discussion.

6. Schedule next meeting Bob Kunau

Bob asked if we need a mid-Dec meeting. Melody asked if the EC wants the directors to report back on the info about the lobbyist. Elt said Bob can call a meeting in Dec or Jan, if there is a need.

Bob asked the group if there were any additional items to be covered today. None was brought forth.

Tom asked Seth and district directors if they had heard anything about the Governor implementing more strict mandates such as shut down, mask mandate, etc. None were reported.

Motion by Glen Bailey, seconded by Tom Dale to adjourn. No discussion; motion passed all in favor. Meeting adjourned at 2:04 p.m.

PROPOSED