

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 206

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

RELATING TO EMERGENCY MEDICAL SERVICES; PROVIDING LEGISLATIVE FINDINGS AND  
INTENT; AMENDING TITLE 46, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER  
9, TITLE 46, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO ESTABLISH PROVI-  
SIONS REGARDING EMERGENCY MEDICAL SERVICES AND THE MEDICAL DIRECTOR,  
TO ESTABLISH PROVISIONS REGARDING USE AND DISTRIBUTION OF EMERGENCY  
MEDICAL SERVICES FUNDS AND COUNTY ACCOUNTABILITY, TO ESTABLISH PROVI-  
SIONS REGARDING PERSONNEL AND AGENCIES LICENSURE ACTIONS, TO PROVIDE  
PENALTIES FOR VIOLATIONS, TO PROVIDE FOR THE CREATION OF THE IDAHO  
TIME SENSITIVE EMERGENCY COUNCIL AND TO ESTABLISH PROVISIONS REGARD-  
ING THE COMPOSITION AND DUTIES OF THE COUNCIL, TO ESTABLISH PROVISIONS  
REGARDING DESIGNATION AS A TRAUMA, STROKE, OR HEART ATTACK CENTER, TO  
PROVIDE FOR THE CREATION OF THE TIME SENSITIVE EMERGENCY REGISTRY, AND  
TO PROVIDE FOR CONFIDENTIALITY; AMENDING SECTION 56-1011, IDAHO CODE,  
TO PROVIDE FOR LEGISLATIVE PURPOSE AND CONSTRUCTION OF CHAPTER AND  
TO REDESIGNATE THE SECTION; AMENDING SECTION 56-1012, IDAHO CODE, TO  
REVISE DEFINITIONS, TO DEFINE A TERM, AND TO REDESIGNATE THE SECTION;  
AMENDING SECTION 56-1013, IDAHO CODE, TO REVISE PROVISIONS REGARDING  
AUTHORIZED ACTIONS AND TO REDESIGNATE THE SECTION; AMENDING SECTION  
56-1014, IDAHO CODE, TO REVISE PROVISIONS REGARDING LIABILITY AND TO  
REDESIGNATE THE SECTION; AMENDING SECTION 56-1015, IDAHO CODE, TO RE-  
VISE PROVISIONS REGARDING FAILURE TO OBTAIN CONSENT AND TO REDESIGNATE  
THE SECTION; AMENDING SECTION 56-1016, IDAHO CODE, TO REVISE PROVISIONS  
REGARDING AGENCY MINIMUM STANDARDS AND TO REDESIGNATE THE SECTION;  
AMENDING SECTION 56-1023, IDAHO CODE, TO REVISE PROVISIONS REGARDING  
RULES AND TO REDESIGNATE THE SECTION; AMENDING SECTION 56-1024, IDAHO  
CODE, TO REVISE PROVISIONS REGARDING THE IDAHO TIME SENSITIVE EMER-  
GENCY SYSTEM OF CARE AND STATEMENT OF INTENT AND TO REDESIGNATE THE  
SECTION; AMENDING SECTION 56-1026, IDAHO CODE, TO REVISE PROVISIONS  
REGARDING THE IDAHO TIME SENSITIVE EMERGENCY SYSTEM, TO DEFINE TERMS,  
AND TO REDESIGNATE THE SECTION; AMENDING SECTION 56-1030, IDAHO CODE,  
TO REVISE PROVISIONS REGARDING IDAHO TIME SENSITIVE EMERGENCY SYSTEM  
REGIONAL COMMITTEES AND TO REDESIGNATE THE SECTION; AMENDING SECTION  
57-2004, IDAHO CODE, TO REVISE PROVISIONS REGARDING PARTICIPATION IN  
THE TIME SENSITIVE EMERGENCY REGISTRY AND TO REDESIGNATE THE SECTION;  
AMENDING SECTION 57-2007, IDAHO CODE, TO REVISE PROVISIONS REGARDING  
TIME SENSITIVE EMERGENCY REGISTRY LIABILITY, TO PROVIDE EXCEPTIONS,  
AND TO REDESIGNATE THE SECTION; AMENDING CHAPTER 8, TITLE 57, IDAHO  
CODE, BY THE ADDITION OF A NEW SECTION 57-829, IDAHO CODE, TO ESTABLISH  
PROVISIONS REGARDING THE EMERGENCY MEDICAL SERVICES FUND; AMENDING  
CHAPTER 8, TITLE 57, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 57-830,  
IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING THE EMERGENCY MEDICAL  
SERVICES VEHICLE AND EQUIPMENT GRANT FUND; AMENDING SECTION 57-2005,  
IDAHO CODE, TO REVISE PROVISIONS REGARDING THE TIME SENSITIVE EMER-  
GENCY REGISTRY FUND AND TO REDESIGNATE THE SECTION; AMENDING SECTION

6-902A, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 9-203, IDAHO CODE, TO REVISE PROVISIONS REGARDING CONFIDENTIAL RELATIONS AND COMMUNICATIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 18-915, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 31-3908, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-4302, IDAHO CODE, TO REVISE A DEFINITION AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 39-1392a, IDAHO CODE, TO REVISE DEFINITIONS AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 39-1393, IDAHO CODE, TO PROVIDE FOR THE IDAHO MILITARY DIVISION; AMENDING SECTION 39-4703, IDAHO CODE, TO REVISE A DEFINITION AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 39-8202, IDAHO CODE, TO PROVIDE FOR THE IDAHO MILITARY DIVISION; AMENDING SECTION 46-1007, IDAHO CODE, TO PROVIDE FOR THE IDAHO MILITARY DIVISION; AMENDING SECTION 49-123, IDAHO CODE, TO PROVIDE FOR THE IDAHO MILITARY DIVISION; AMENDING SECTION 49-306, IDAHO CODE, TO REVISE PROVISIONS REGARDING APPLICATION FOR DRIVER'S LICENSE, INSTRUCTION PERMIT, COMMERCIAL LEARNER'S PERMIT, OR RESTRICTED SCHOOL ATTENDANCE DRIVING PERMIT; AMENDING SECTION 49-452, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 49-910A, IDAHO CODE, TO PROVIDE FOR THE IDAHO MILITARY DIVISION; AMENDING SECTION 56-1003, IDAHO CODE, TO REVISE PROVISIONS REGARDING POWERS AND DUTIES OF THE DIRECTOR; AMENDING SECTION 63-36220, IDAHO CODE, TO PROVIDE FOR THE IDAHO MILITARY DIVISION; AMENDING SECTION 67-8802, IDAHO CODE, TO PROVIDE FOR THE IDAHO MILITARY DIVISION; AMENDING SECTION 67-8806, IDAHO CODE, TO PROVIDE FOR THE IDAHO MILITARY DIVISION; AMENDING SECTION 72-451, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 74-106, IDAHO CODE, TO PROVIDE A CORRECT REFERENCE; REPEALING SECTION 56-1013A, IDAHO CODE, RELATING TO THE IDAHO EMERGENCY MEDICAL SERVICES PHYSICIAN COMMISSION AND TERMS AND OPERATION; REPEALING SECTION 56-1020, IDAHO CODE, RELATING TO PENALTIES FOR PERSONNEL LICENSE VIOLATIONS; REPEALING SECTION 56-1021, IDAHO CODE, RELATING TO PENALTIES FOR AGENCY LICENSE VIOLATIONS; REPEALING SECTION 56-1022, IDAHO CODE, RELATING TO PERSONNEL AND AGENCIES LICENSURE ACTIONS; REPEALING SECTION 56-1025, IDAHO CODE, RELATING TO DEFINITIONS; REPEALING SECTION 56-1027, IDAHO CODE, RELATING TO THE IDAHO TIME SENSITIVE EMERGENCY SYSTEM COUNCIL CREATION AND COMPOSITION; REPEALING SECTION 56-1028, IDAHO CODE, RELATING TO DUTIES AND RULEMAKING OF THE IDAHO TIME SENSITIVE EMERGENCY SYSTEM COUNCIL; REPEALING SECTION 56-1029, IDAHO CODE, RELATING TO IDAHO TRAUMA, STROKE, AND HEART ATTACK CENTERS; REPEALING SECTION 57-2001, IDAHO CODE, RELATING TO PURPOSE OF THE REGISTRY; REPEALING SECTION 57-2002, IDAHO CODE, RELATING TO TSE REGISTRY DEFINITIONS; REPEALING SECTION 57-2003, IDAHO CODE, RELATING TO ESTABLISHMENT OF THE TSE REGISTRY; REPEALING SECTION 57-2006, IDAHO CODE, RELATING TO CONFIDENTIALITY; REPEALING SECTION 56-1018, IDAHO CODE, RELATING TO EMERGENCY MEDICAL SERVICES FUND; REPEALING SECTION 56-1018A, IDAHO CODE, RELATING TO EMERGENCY MEDICAL SERVICES FUND II; REPEALING SECTION 56-1018B, IDAHO CODE, RELATING TO EMERGENCY MEDICAL SERVICES FUND III; AND DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. LEGISLATIVE FINDINGS AND INTENT. (1) The Legislature finds that:

(a) Relocating emergency medical services (EMS) from the Department of Health and Welfare to the Idaho Military Division will draw greater attention to the importance of emergency medical services in Idaho; and

(b) Locating the state administration of emergency medical services at the same state agency that already coordinates emergency management at the state and local level will lead to improved services and provide opportunity for continued improvement and cross collaboration for these comparable systems.

(2) It is the intent of the Legislature that:

(a) The director of the Department of Health and Welfare and the adjutant general at the Idaho Military Division coordinate the transfer of emergency medical service functions from the Department of Health and Welfare to the Idaho Military Division as described in this act and that the transfer be complete effective July 1, 2025;

(b) All existing, but no new, rights, powers, duties, budgets, funds, contracts, rules, regulations, and policies, administrative and rule-making proceedings, contested cases, civil actions, and other matters relating to emergency medical services described in this act, currently vested with the director of the Department of Health and Welfare and the Board of Health and Welfare, be transferred to the Idaho Military Division as described in this act no later than July 1, 2025;

(c) Emergency medical services rulemaking authority sunset on July 1, 2027, and that before the adjournment sine die of the first regular session of the 69th Idaho Legislature, the Idaho Military Division's emergency medical services program propose for codification in the chapter created in this act any necessary provision found in EMS administrative rules; and

(d) The adjutant general explore any organizational efficiencies from combining hazardous material programs at the military division with EMS.

SECTION 2. That Title 46, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW CHAPTER, to be known and designated as Chapter 9, Title 46, Idaho Code, and to read as follows:

CHAPTER 9  
EMERGENCY MEDICAL SERVICES ACT

46-901. SHORT TITLE. This chapter shall be known and may be cited as the "Emergency Medical Services Act."

46-904. EMERGENCY MEDICAL SERVICES -- MEDICAL DIRECTOR. (1) Consistent with provisions of this chapter, there is hereby established within the division an emergency medical services program. The adjutant general, as administrator of the division, shall supervise and administer the emergency medical services program and shall hire or cause to be hired the necessary personnel responsible for administering it. The responsibilities of the emergency medical services program shall include but are not limited to assisting qualified entities in providing first aid emergency medical ser-

1 vices and providing transportation of the sick and injured. The division is  
 2 authorized to establish regulations regarding the administration of emer-  
 3 gency medical services, licensing, and certification in Idaho and to issue  
 4 emergency medical services certifications, licenses, and permits.

5 (2) The division shall adopt standards concerning the administration  
 6 of this chapter, including criteria for educational programs, certification  
 7 and licensure of personnel, certification of EMS instructors, licensure of  
 8 ambulance, air medical and nontransport services, manufacturing standards  
 9 for ambulances and nontransport vehicles, criteria for the use of air medi-  
 10 cal services by licensed EMS personnel at emergency scenes, establishment of  
 11 fees for training, inspections, and licensure, appropriate requirements for  
 12 renewal of licensure of personnel and agencies, and the management of com-  
 13 plaints, investigations, and license actions against licensed EMS person-  
 14 nel and agencies. Additionally, in consultation with the medical director,  
 15 the division shall develop guidelines, standards, and procedures for reduc-  
 16 ing exposure to pathogens from human blood, tissue, or fluids. Such guide-  
 17 lines, standards, and procedures shall be made available to all law enforce-  
 18 ment personnel, all emergency medical services personnel and agencies, and  
 19 such other emergency personnel who request such information.

20 (3) By employment or contract, the division shall retain the services  
 21 of a physician licensed in the state of Idaho with experience in emergency  
 22 medicine to serve as medical director. The medical director shall not be  
 23 the person hired by the adjutant general to administer the emergency medical  
 24 services program. The medical director shall:

25 (a) Advise program leadership on standards for scope of practice and  
 26 the required level of medical supervision by a physician for personnel  
 27 and agencies licensed under this chapter;

28 (b) Advise program leadership on disciplinary actions against licensed  
 29 personnel and agencies; and

30 (c) Carry out any other function assigned to him in law or at the request  
 31 of program leadership.

32 46-905. USE AND DISTRIBUTION OF EMERGENCY MEDICAL SERVICES FUNDS --  
 33 COUNTY ACCOUNTABILITY. (1) The division shall be responsible for distribut-  
 34 ing moneys, subject to legislative appropriation, from the emergency med-  
 35 ical services vehicle and equipment grant fund created in section 57-830,  
 36 Idaho Code, to qualifying nonprofit and governmental entities that submit an  
 37 application for a grant from the fund. Grants from the fund may cover the  
 38 cost of vehicles and equipment, training, licensing expenses, communica-  
 39 tion technology, dispatch services, and costs associated with assuring the  
 40 performance of planned coverage and emergency response, including highway  
 41 safety and emergency response to motor vehicle accidents.

42 (a) The division shall approve grants from the fund based on the follow-  
 43 ing criteria:

44 (i) The applicant is a nonprofit or governmental entity that  
 45 holds a current license as an ambulance or nontransport service  
 46 issued by the division;

47 (ii) The applicant has demonstrated need based on criteria estab-  
 48 lished by the division;

1 (iii) The applicant has provided verification that it has received  
2 the approval and endorsement of a fire district, city, or county  
3 within its service area;

4 (iv) The applicant has certified that the title to any vehicle  
5 purchased with funds from the fund shall be in the name of the fire  
6 district, city, or county that endorsed the application and shall  
7 submit proof of titling to the division as soon as practicable; and

8 (v) The state of Idaho shall retain a security interest in the ve-  
9 hicle to secure the performance of the grant recipient to utilize  
10 the vehicle consistent with the intent described in the applica-  
11 tion.

12 (b) Notwithstanding the requirements of paragraph (a) (iii) and (iv) of  
13 this subsection, the division is authorized to approve and issue a grant  
14 to an applicant in the absence of an endorsement if the endorsement is  
15 withheld without adequate justification.

16 (2) The division shall be responsible for distributing moneys, subject  
17 to legislative appropriation, from the emergency medical services fund cre-  
18 ated in section 57-829, Idaho Code. Moneys in the fund shall be used exclu-  
19 sively for costs associated with emergency medical services. However, if  
20 the legislature appropriates moneys to the fund for sustainability grants  
21 to cover personnel and operating costs associated with assuring the sustain-  
22 ability and availability of emergency medical services, applicants may only  
23 be approved by the division subject to the following criteria:

24 (a) The applicant is a nonprofit or governmental entity that holds a  
25 current emergency medical services agency license issued by the divi-  
26 sion that authorizes the agency as a 911 response agency;

27 (b) The application clearly defines the applicant's service area spe-  
28 cific to 911 response;

29 (c) The applicant must certify, if it is eligible to bill for services,  
30 that it has billed health insurance carriers for at least eighty percent  
31 (80%) of eligible billable services it provided in the previous year.  
32 If the applicant is newly licensed and does not have twelve (12) months  
33 of historical billing information, the applicant must certify that it  
34 is currently billing and will continue to bill health insurance carri-  
35 ers for at least eighty percent (80%) of eligible services; and

36 (d) If the applicant fulfills the requirements of paragraphs (a), (b),  
37 and (c) of this subsection, the county in which the applicant provides  
38 911 response services may, in its discretion, endorse the grant appli-  
39 cation of the requesting entity. A county endorsing an application must  
40 have submitted a plan that has been approved by the division that spec-  
41 ifies how emergency medical services 911 responses shall be covered and  
42 coordinated throughout the entire county.

43 (3) The provision of emergency medical services is a government func-  
44 tion. If the division approves applications for sustainability grants  
45 pursuant to subsection (2) of this section, counties are authorized and re-  
46 quired to ensure that emergency medical services are reasonably available  
47 throughout the county.

48 (4) It is the intent of the legislature that counties that accept sus-  
49 tainability grants pursuant to subsection (2) of this section use a portion

1 of the sustainability grant to implement or maintain community health EMS in  
2 the service area.

3 46-911. PERSONNEL AND AGENCIES LICENSURE ACTIONS -- GROUNDS -- PROCE-  
4 DURE. (1) Subject to the provisions of chapter 52, title 67, Idaho Code, the  
5 division, upon recommendation of the EMS medical director, may deny a li-  
6 cense or refuse to renew a license for a person, or may suspend or revoke a  
7 license or may impose probationary conditions, if the holder of a license or  
8 the applicant for a license has engaged in unprofessional conduct that has  
9 endangered or is likely to endanger the health, welfare, or safety of the  
10 public. Such unprofessional conduct includes but is not limited to:

- 11 (a) Obtaining a license by means of fraud, misrepresentation, or con-  
12 cealment of a material fact;
- 13 (b) Being found guilty of unprofessional conduct as defined by the di-  
14 vision;
- 15 (c) Being convicted of a crime that would have a direct and adverse  
16 bearing on the licensee's ability to practice or perform emergency med-  
17 ical care competently;
- 18 (d) The unauthorized practice of medicine;
- 19 (e) Violating any provisions of this chapter or any regulations adopted  
20 under this chapter; and
- 21 (f) Being found mentally incompetent by a court of competent jurisdic-  
22 tion.

23 (2) Subject to the provisions of chapter 52, title 67, Idaho Code, the  
24 division may deny, revoke, or refuse to renew a license of an agency, or may  
25 impose probationary conditions or fines as a condition of an agency's abil-  
26 ity to retain a license in accordance with regulations adopted by the divi-  
27 sion.

28 (3) A denial, refusal to renew, suspension, revocation, or imposition  
29 of probationary conditions on a license may be ordered by the division after  
30 opportunity for a hearing as provided in section 46-910(4), Idaho Code.

31 (4) An application for reinstatement may be filed with the division one  
32 (1) year from the date of license revocation. In the event a timely appli-  
33 cation is filed, the division, upon recommendation of the EMS medical direc-  
34 tor, may accept or reject the application for reinstatement. An opportunity  
35 for a hearing as provided in section 46-910(4), Idaho Code, shall follow any  
36 rejection under this subsection, and the opportunity for appeal as set forth  
37 in chapter 52, title 67, Idaho Code, shall follow if the division affirms its  
38 initial decision.

39 46-913. PENALTIES FOR VIOLATIONS. (1) Any person who practices or at-  
40 tempts to practice EMS as a licensed provider of emergency care as provided  
41 for in this chapter, without having at the time of violation a valid, unex-  
42 pired, unrestricted, unrevoked, and unsuspended license issued by the divi-  
43 sion under this chapter shall be guilty of a misdemeanor and shall be subject  
44 to a fine of not more than five hundred dollars (\$500) or imprisonment for not  
45 more than six (6) months, or both, for each violation.

46 (2) Any person establishing, conducting, managing, or operating any  
47 agency as provided for in this chapter without a license issued by the divi-  
48 sion under this chapter shall be guilty of a misdemeanor and shall be subject

1 to a fine of not more than one thousand dollars (\$1,000) or imprisonment for  
 2 not more than six (6) months, or both. Each day of continuing violation shall  
 3 constitute a separate offense.

4 46-916. IDAHO TIME SENSITIVE EMERGENCY SYSTEM -- COUNCIL -- COMPOSI-  
 5 TION -- DUTIES. (1) There is hereby created within the division the Idaho  
 6 time sensitive emergency system council. Council members shall be appointed  
 7 by and serve at the pleasure of the governor. Terms on the council shall be  
 8 for four (4) years, and vacancies on the council for unexpired terms shall be  
 9 filled by appointment by the governor for the remainder of the term. Coun-  
 10 cil members shall be selected to assure geographic, rural, and clinical spe-  
 11 cialty representation.

12 (2) The membership of the council shall include the following:

13 (a) One (1) representative from a facility that either holds or is seek-  
 14 ing designation as an Idaho trauma center. The representative shall be  
 15 the medical director, the coordinator, or the program manager responsi-  
 16 ble for the respective facility's trauma program;

17 (b) One (1) representative from a facility that either holds or is seek-  
 18 ing designation as an Idaho stroke facility. The representative shall  
 19 be the medical director, the coordinator, or the program manager re-  
 20 sponsible for the respective facility's stroke program;

21 (c) One (1) representative from a facility that either holds or is seek-  
 22 ing designation as an Idaho heart attack center. The representative  
 23 shall be the medical director, the coordinator, or the program manager  
 24 responsible for the respective facility's heart attack program;

25 (d) One (1) representative from an EMS agency licensed by the division  
 26 that serves a primarily urban response area;

27 (e) One (1) representative from an EMS agency licensed by the division  
 28 that serves a primarily rural response area;

29 (f) One (1) representative from an air medical EMS agency licensed by  
 30 the division;

31 (g) One (1) administrator of an Idaho hospital that either holds or is  
 32 seeking Idaho trauma, stroke, or heart attack designation;

33 (h) One (1) chief executive officer or administrator of an Idaho crit-  
 34 ical access hospital that either holds or is seeking Idaho trauma,  
 35 stroke, or heart attack designation;

36 (i) One (1) licensed health care provider who routinely works in the  
 37 emergency department of a hospital that serves a primarily urban area  
 38 that either holds or is seeking Idaho trauma, stroke, or heart attack  
 39 designation;

40 (j) One (1) licensed health care provider who routinely works in the  
 41 emergency department of a hospital that serves a primarily rural area  
 42 that either holds or is seeking Idaho trauma, stroke, or heart attack  
 43 designation; and

44 (k) One (1) member of the public.

45 (3) The chair of each regional time sensitive committee established  
 46 pursuant to section 46-918, Idaho Code, shall be added as a voting member of  
 47 the council when the regional time sensitive emergency committee is imple-  
 48 mented and the chair is selected.

1       (4) The governor shall appoint a chair who shall serve a term of two (2)  
 2 years. The council may elect other officers as it may deem necessary and ap-  
 3 propriate. The council shall meet at least semiannually and at the call of  
 4 the chair.

5       (5) The duties of the council shall be as follows:

6       (a) Develop, implement, and monitor a voluntary statewide system that  
 7 includes trauma, stroke, and heart attack facilities;

8       (b) Provide oversight of the system, assuring adherence to standards  
 9 and regulations established by the council;

10       (c) Establish substate system regions that provide more effective  
 11 access to the system. In the designation of these regions, specific  
 12 consideration shall be given to geography and patient referral patterns  
 13 for the facilities and agencies included therein;

14       (d) Establish a regional time sensitive emergency committee in each  
 15 substate region;

16       (e) Develop the standards and criteria that each participating facil-  
 17 ity that voluntarily applies is required to meet concerning personnel,  
 18 equipment, resources, data collection, and organizational capabili-  
 19 ties to obtain or maintain designation;

20       (f) Develop procedures for and the duration of the designation of  
 21 a trauma, stroke, or heart attack facility, including application  
 22 procedures, verification procedures, investigation of complaints  
 23 pertaining to designation, and emergency suspension or revocation of  
 24 designation;

25       (g) Develop operational procedures for the regional time sensitive  
 26 emergency committees;

27       (h) Facilitate the implementation of nationally accepted standards  
 28 throughout the voluntary system;

29       (i) Set procedures for the acquisition of data needed to successfully  
 30 manage the system; and

31       (j) Collaborate and cooperate with the division, the EMS medical direc-  
 32 tor, local governments, and local EMS agencies and associations to ad-  
 33 dress recruitment and retention concerns of local EMS providers.

34       46-917. IDAHO TIME SENSITIVE EMERGENCY SYSTEM -- DESIGNATION AS IDAHO  
 35 TRAUMA, STROKE, AND HEART ATTACK CENTERS. (1) The council shall designate a  
 36 hospital as a trauma, stroke, or heart attack center when such hospital, upon  
 37 proper application and verification, has been found by the council to meet  
 38 the applicable level of trauma, stroke, or heart attack center criteria as  
 39 established by the council.

40       (2) In developing trauma, stroke, and heart attack center designation  
 41 criteria, the council shall use, as is practicable, appropriate peer-re-  
 42 viewed or evidence-based research, including but not limited to the most  
 43 recent guidelines of the American college of surgeons committee on trauma,  
 44 the American college of cardiology, and the American heart association for  
 45 heart attack centers, the joint commission's primary stroke center certi-  
 46 fication program criteria for stroke centers, or primary and comprehensive  
 47 stroke center recommendations as published by the American stroke associa-  
 48 tion or other nationally recognized authoritative standards.



1 (3) Designation criteria adopted by the council shall be publicly  
2 available.

3 (4) The council shall conduct a periodic verification review of every  
4 trauma, stroke, and heart attack facility. Verification reviews shall be  
5 coordinated for the different types of centers to the extent practicable  
6 with hospital resources. No person who has a substantial conflict of inter-  
7 est in the operation of any trauma, stroke, and heart attack center under  
8 review shall participate in the verification review of the facility.

9 (5) The council shall coordinate an on-site review as necessary to as-  
10 sure that a hospital meets the criteria for the desired designation. The  
11 council may waive an on-site review when a hospital has been verified by a  
12 nationally recognized accrediting body to meet or exceed standards estab-  
13 lished by the council.

14 (6) The council may deny, place on probation, suspend, or revoke any  
15 designation when it has reasonable cause to believe that there has been mis-  
16 representation or falsification of information or a substantial failure to  
17 comply with the criteria for designation promulgated by the council. If the  
18 council has reasonable cause to believe that a hospital is not in compliance  
19 with such provisions, it may require the facility to submit additional docu-  
20 mentation or undergo additional site reviews to verify compliance.

21 (7) No hospital may hold itself out to the public as an Idaho-designated  
22 trauma center, Idaho-designated stroke facility, or Idaho-designated heart  
23 attack facility unless it is designated as such by the council.

24 (8) A hospital aggrieved because of a council decision pursuant to this  
25 section shall be entitled to appeal as provided in section 46-910(4), Idaho  
26 Code. The opportunity for appeal as set forth in chapter 52, title 67, Idaho  
27 Code, shall follow if the council affirms its initial decision.

28 46-919. IDAHO TIME SENSITIVE EMERGENCY SYSTEM -- CREATION OF TSE REG-  
29 ISTRY -- PURPOSE. (1) The division, or an authorized contractor of the divi-  
30 sion, shall:

31 (a) Establish a TSE registry to collect and analyze information on the  
32 incidence, severity, causes, and outcomes of TSEs, and other such data  
33 necessary to evaluate trauma, strokes, and heart attacks and the health  
34 system's response;

35 (b) Establish the data elements and data dictionary, including child-  
36 specific data elements that hospitals must report, and the time frame  
37 and format for reporting; and

38 (c) Support, where necessary, data collection and abstraction by pro-  
39 viding:

40 (i) A data collection system and technical assistance to each  
41 hospital; and

42 (ii) Funding or, at the discretion of the division, personnel for  
43 collection and abstraction for each hospital.

44 (2) The specific issues to be identified and evaluated through the TSE  
45 registry are:

46 (a) Trauma, stroke, and heart attack TSE surveillance;

47 (b) Geographic patterns of trauma incidence;

48 (c) Types of TSEs treated in hospitals in Idaho;

1 (d) Areas or regions of the state where improvements in the emergency  
2 medical system may be needed;

3 (e) Public education and prevention needs and efforts; and

4 (f) Other factors to consider in recommending, designing, or imple-  
5 menting a statewide TSE system.

6 (3) The data collected by the TSE registry shall be of such a nature as  
7 to allow the division to identify at least the following:

8 (a) Lack of access to care and improvement of the availability and de-  
9 livery of prehospital, hospital, and post-acute TSE care;

10 (b) Performance of the out-of-hospital and hospital emergency medical  
11 systems;

12 (c) Costs of TSE care; and

13 (d) Outcomes of persons who are victims of TSEs.

14 (4) The division shall evaluate the data collected, as well as data  
15 collected from other relevant sources, and shall prepare an annual report.  
16 The data shall be used to regularly produce and disseminate aggregated and  
17 de-identified analytical reports and for recommending benchmark quality  
18 measures and outcomes and needed educational resources to the council.

19 46-921. IDAHO TIME SENSITIVE EMERGENCY SYSTEM -- TSE REGISTRY CONFIDENTIALITY. (1) Records and information contained in the TSE registry shall  
20 be kept confidential and may be released only as provided by this chapter and  
21 regulations adopted by the division.  
22

23 (2) The division and an authorized contractor may enter into agreements  
24 to exchange confidential information with other TSE registries in order to  
25 obtain complete reports of Idaho residents treated in other states and to  
26 provide information to other states regarding such other state's residents  
27 treated in Idaho. Agreements sharing information from the TSE registry  
28 shall include a provision requiring the receiving agency to keep such infor-  
29 mation confidential.

30 (3) The division and an authorized contractor may, in their discretion,  
31 publish or furnish to health researchers and the public de-identified infor-  
32 mation, including compilations and analyses thereof.

33 (4) The division and an authorized contractor may furnish confiden-  
34 tial information to other TSE registries, federal TSE programs, or health  
35 researchers in order to perform and collaborate with research studies. Per-  
36 sons and entities receiving confidential information for research purposes  
37 must comply with regulations of the division relating to the confidentiality  
38 of TSE registry records and information.

39 (5) The division and an authorized contractor may furnish confidential  
40 information relating to a specific hospital, including compilations and  
41 analyses of such confidential information, to the specific hospital to which  
42 it relates.

43 (6) TSE registry records and information shall not be available for  
44 purposes of litigation except by order of the court. Any such order shall  
45 contain such protective provisions as are reasonable and necessary to pre-  
46 vent the public or further disclosure of the records and information and  
47 shall contain a provision requiring the destruction of the records and in-  
48 formation when no longer needed for the litigation.

1 SECTION 3. That Section 56-1011, Idaho Code, be, and the same is hereby  
2 amended to read as follows:

3 ~~56-1011 46-902. EMERGENCY MEDICAL SERVICES -- STATEMENT OF IN-~~  
4 ~~TENT LEGISLATIVE PURPOSE -- CONSTRUCTION OF CHAPTER. (1) The purpose of this~~  
5 ~~chapter is It is the purpose of the legislature of the state of Idaho in the~~  
6 ~~adoption of sections 56-1011 through 56-1023, Idaho Code, to recognize the~~  
7 ~~importance of that the delivery of emergency medical services is critical to~~  
8 ~~the life, health, and safety of Idahoans and to provide reasonable regula-~~  
9 ~~tion of the same such services. Any regulations under this chapter shall be~~  
10 ~~narrowly tailored, and all licensing requirements shall not be more restric-~~  
11 ~~tive than neighboring states or comparably situated states.~~

12 (2) ~~For~~ To carry out this purpose, the provisions of section 54-1804,  
13 Idaho Code, shall not be ~~so~~ construed as to prohibit or penalize emergency  
14 medical services rendered by a person authorized to render emergency medi-  
15 cal services by ~~sections 56-1011 through 56-1023, Idaho Code, this chapter~~  
16 if such emergency medical service is rendered under the responsible supervi-  
17 sion and control of a ~~licensed~~ physician licensed in Idaho.

18 SECTION 4. That Section 56-1012, Idaho Code, be, and the same is hereby  
19 amended to read as follows:

20 ~~56-1012 46-903. DEFINITIONS. As used in sections 56-1011 through~~  
21 ~~56-1023, Idaho Code this chapter:~~

22 (1) "Advanced emergency medical technician" means a person who has met  
23 the qualifications for licensure as set forth in ~~sections 56-1011 through~~  
24 ~~56-1023, Idaho Code this chapter, is licensed by the EMS bureau under~~  
25 ~~sections 56-1011 through 56-1023, Idaho Code this chapter, carries out the~~  
26 practice of emergency care within the scope of practice determined by the  
27 ~~commission division,~~ and practices under the supervision of an Idaho li-  
28 censed physician.

29 (2) "Agency" means any organization ~~licensed by the EMS bureau under~~  
30 ~~this chapter~~ that operates an air medical service, ambulance service or non-  
31 transport service.

32 (3) "Air ambulance" means any privately or publicly owned fixed wing  
33 aircraft or rotary wing aircraft used for, or intended to be used for, the  
34 transportation of persons experiencing physiological or psychological  
35 illness or injury who may need medical attention during transport. This  
36 may include dual or multipurpose vehicles ~~which that~~ otherwise comply with  
37 ~~sections 56-1011 through 56-1023, Idaho Code, and specifications estab-~~  
38 ~~lished by board rule this chapter and applicable regulations.~~

39 (4) "Air medical service" means an agency ~~licensed by the EMS bureau~~  
40 ~~under this chapter~~ that responds to requests for patient care and trans-  
41 portation from hospitals and EMS agencies using a fixed wing aircraft or  
42 rotary wing aircraft.

43 ~~(5) "Ambulance" means any privately or publicly owned motor vehicle~~  
44 ~~or nautical vessel used for, or intended to be used for, the transportation~~  
45 ~~of sick or injured persons who may need medical attention during transport.~~  
46 ~~This may include dual or multipurpose vehicles which otherwise comply with~~  
47 ~~sections 56-1011 through 56-1023, Idaho Code, and specifications estab-~~  
48 ~~lished by board rule.~~

~~(6)~~ (5) "Ambulance service" means an agency licensed by the EMS bureau under this chapter operated with the intent to provide personnel and equipment for medical treatment at an emergency scene, during transportation or during transfer of persons experiencing physiological or psychological illness or injury who may need medical attention during transport.

~~(7)~~ (6) "Applicant" means any organization that is requesting an agency license under this chapter and includes the following:

(a) An organization seeking a new license;

(b) An existing agency that intends to change the level of licensed personnel it utilizes;

(c) An existing agency that intends to change its geographic coverage area, except by agency annexation;

(d) An existing nontransport service that intends to provide ambulance service;

(e) An existing ambulance service that intends to discontinue transport and become a nontransport service.

~~(8) "Board" means the Idaho board of health and welfare.~~

~~(9) "Commission" means the Idaho emergency medical services physician commission.~~

~~(10)~~ (7) "Community emergency medical technician" or "community EMT" means an emergency medical technician or advanced emergency medical technician with additional standardized training who works within a designated community health emergency medical services program under local medical control as part of a community-based team of health and social services providers.

~~(11)~~ (8) "Community health emergency medical services" or "community health EMS" means the evaluation, advice or treatment of an eligible recipient outside of a hospital setting, ~~which that~~ is specifically requested for the purpose of preventing or improving a particular medical condition, ~~and which that~~ is provided by a licensed emergency medical services agency. Community health EMS involving or related to emergency response must be provided by or in coordination with the primary 911 response agency for that area.

~~(12)~~ (9) "Community paramedic" means a paramedic with additional standardized training who works within a designated community health emergency medical services program under local medical control as part of a community-based team of health and social services providers.

~~(13) "Department" means the Idaho department of health and welfare.~~

(10) "Division" means the Idaho military division of the office of the governor.

~~(14)~~ (11) "Eligible recipient" means an individual eligible to receive community health emergency medical services, ~~as determined by rule of the EMS bureau or under this chapter and applicable state regulations or as determined by regulations of a local community health emergency medical services program.~~

~~(15)~~ (12) "Emergency medical responder" means a person who has met the qualifications for licensure as set forth in ~~sections 56-1011 through 56-1023, Idaho Code~~ this chapter, is licensed by the EMS bureau under ~~sections 56-1011 through 56-1023, Idaho Code~~ this chapter, carries out the practice of emergency care within the scope of practice determined by the

1 ~~commission division~~, and practices under the supervision of an Idaho li-  
2 censed physician.

3 ~~(16)~~ (13) "Emergency medical services" or "EMS" means aid rendered by an  
4 individual or group of individuals who do the following:

5 (a) Respond to a perceived need for medical care in order to prevent  
6 loss of life or aggravation of physiological or psychological illness  
7 or injury;

8 (b) Are prepared to provide interventions that are within the scope of  
9 practice as defined by the ~~commission division~~;

10 (c) Use an alerting mechanism to initiate a response to requests for  
11 medical care; and

12 (d) Offer, advertise or attempt to respond as described in paragraphs  
13 (a) through (c) of this subsection.

14 ~~(17) "EMS bureau" means the bureau of emergency medical services of the~~  
15 ~~department.~~

16 ~~(18)~~ (14) "Emergency medical technician" means a person who has met  
17 the qualifications for licensure as set forth in ~~sections 56-1011 through~~  
18 ~~56-1023, Idaho Code~~ this chapter, is licensed by the EMS bureau under  
19 ~~sections 56-1011 through 56-1023, Idaho Code~~ this chapter, carries out the  
20 practice of emergency care within the scope of practice determined by the  
21 ~~commission division~~, and practices under the supervision of an Idaho li-  
22 censed physician.

23 ~~(19)~~ (15) "Licensed personnel" means those individuals who are emer-  
24 gency medical responders, emergency medical technicians, advanced emer-  
25 gency medical technicians and paramedics.

26 ~~(20)~~ (16) "National emergency medical services information system  
27 technical assistance center" means an organization that validates software  
28 for compliance with the EMS data set defined by the United States department  
29 of transportation national highway traffic safety administration.

30 ~~(21)~~ (17) "Nontransport service" means an agency licensed by the EMS bu-  
31 ~~reau under this chapter~~, operated with the intent to provide personnel or  
32 equipment for medical stabilization at an emergency scene, but not intended  
33 to be the service that will actually transport sick or injured persons.

34 ~~(22) "Nontransport vehicle" means any vehicle operated by an agency~~  
35 ~~with the intent to provide personnel or equipment for medical stabilization~~  
36 ~~at an emergency scene, but not intended as the vehicle that will actually~~  
37 ~~transport sick or injured persons.~~

38 ~~(23)~~ (18) "Paramedic" means a person who has met the qualifications  
39 for licensure as set forth in ~~sections 56-1011 through 56-1023, Idaho Code~~  
40 ~~this chapter~~, is licensed by the EMS bureau under ~~sections 56-1011 through~~  
41 ~~56-1023, Idaho Code~~ this chapter, carries out the practice of emergency  
42 care within the scope of practice determined by the ~~commission division~~, and  
43 practices under the supervision of an Idaho licensed physician.

44 ~~(24)~~ (19) "Supervision" means the medical direction by a licensed  
45 physician of activities provided by licensed personnel affiliated with a  
46 licensed ambulance, air medical or nontransport service, including, but not  
47 limited to: establishing standing orders and protocols, reviewing perfor-  
48 mance of licensed personnel, providing instructions for patient care via  
49 radio or telephone, and other oversight.

1       ~~(25)~~ (20) "Transfer" means the transportation of a patient from one ~~(1)~~  
2       medical care facility to another.

3       SECTION 5. That Section 56-1013, Idaho Code, be, and the same is hereby  
4       amended to read as follows:

5       ~~56-1013~~ 46-907. AUTHORIZED ACTIONS. Persons licensed ~~by the EMS bu-~~  
6       ~~reau~~ under this chapter shall be authorized to perform such acts under writ-  
7       ten or oral authorization of a licensed physician as ~~shall be~~ established by  
8       ~~rules of the commission the division~~, including, but not limited to, admin-  
9       istration of intravenous solutions and drugs, cardiac defibrillation, air-  
10      way management, endotracheal intubation, community health emergency medi-  
11      cal services and other patient care.

12      SECTION 6. That Section 56-1014, Idaho Code, be, and the same is hereby  
13      amended to read as follows:

14      ~~56-1014~~ 46-908. LIABILITY. (1) No act or omission of any person who is  
15      duly licensed under ~~sections 56-1011 through 56-1023, Idaho Code, by the EMS~~  
16      ~~bureau~~ this chapter done or omitted in good faith while rendering emergency  
17      medical services to a person or persons who are perceived to need immedi-  
18      ate care in order to prevent loss of life or aggravation of physiological or  
19      psychological illness or injury shall impose any liability upon those per-  
20      sonnel, the supervising physician, the hospital, the organization providing  
21      the service, or ~~upon~~ on a federal, state, county, city or other local gov-  
22      ernmental unit, or ~~upon~~ on employees of such governmental unit, unless such  
23      provider of care or such personnel ~~be is~~ shown to have caused injury and dam-  
24      ages to such person or persons as a proximate result of ~~his, her or their~~  
25      such personnel's reckless or grossly negligent misconduct, which shall be  
26      the sole grounds for civil liability of such persons in the provision of care  
27      or assistance under ~~sections 56-1011 through 56-1023, Idaho Code~~ this chap-  
28      ter, regardless of the circumstance under which such care or assistance may  
29      be provided. This section shall not relieve the organization or agency oper-  
30      ating the service from the duty of securing, maintaining and operating, the  
31      equipment and licensure designated for use in performing the emergency medi-  
32      cal services.

33      (2) The provisions of subsection (1) of this section shall apply to li-  
34      censed personnel of another state of the United States who enter this state  
35      in response to an emergency to render emergency medical services to a person  
36      who is perceived to need immediate care in order to prevent loss of life or  
37      aggravation of physiological or psychological illness or injury.

38      (3) No act or omission of any person authorized under this chapter to  
39      provide community health emergency medical services shall impose any lia-  
40      bility ~~upon~~ on such person or the person's agency or supervising physician  
41      where the act or omission occurs in the course of providing authorized ser-  
42      vices and is done or omitted in good faith, unless the person is shown to have  
43      caused injury as a result of reckless or grossly negligent misconduct.

44      SECTION 7. That Section 56-1015, Idaho Code, be, and the same is hereby  
45      amended to read as follows:

1       ~~56-1015~~ 46-909. FAILURE TO OBTAIN CONSENT. ~~No~~ Notwithstanding the  
 2 provisions of section 32-1015, Idaho Code, no person licensed under ~~sections~~  
 3 ~~56-1011 through 56-1023, Idaho Code,~~ this chapter or physician or hospital  
 4 licensed in this state shall be subject to civil liability, based solely  
 5 ~~upon~~ on failure to obtain consent in rendering emergency medical, surgical,  
 6 hospital or health services to any individual regardless of age where that  
 7 individual is unable to give this consent for any reason and there is no  
 8 other person reasonably available who is legally authorized to consent to  
 9 the providing of such care; provided, however, that such person, physician,  
 10 or hospital has acted in good faith and without knowledge of facts negating  
 11 consent. The provision or refusal of consent under ~~sections 56-1011 through~~  
 12 ~~56-1023, Idaho Code,~~ this chapter shall be governed by chapter 45, title 39,  
 13 Idaho Code.

14       SECTION 8. That Section 56-1016, Idaho Code, be, and the same is hereby  
 15 amended to read as follows:

16       ~~56-1016~~ 46-910. AGENCY MINIMUM STANDARDS. (1) Each ambulance service,  
 17 air medical service and nontransport service shall be licensed ~~by the EMS bu-~~  
 18 ~~reau~~ under this chapter based on the level of licensed personnel it utilizes,  
 19 transport capability and self-declared geographic coverage area and shall  
 20 meet the following standards:

21       ~~(1)~~ (a) Personnel during transport or transfer -- There shall be at  
 22 least two (2) crew members on each patient transport or transfer, with  
 23 the crew member delivering patient care being, at a minimum, a licensed  
 24 emergency medical technician (EMT) or a licensed emergency medical re-  
 25 sponder (EMR) with a valid ambulance certification issued by the ~~EMS~~  
 26 ~~bureau~~ division.

27       ~~(2)~~ (b) Dispatch -- Each licensed EMS agency shall have a twenty-four  
 28 (24) hour dispatch arrangement and shall respond to calls on a twenty-  
 29 four (24) hour basis.

30       ~~(3)~~ (c) Agency inspections and licensing -- The ~~EMS bureau~~ division  
 31 shall conduct inspections at least annually related to agency licens-  
 32 ing or shall contract to have the inspections carried out. Each agency  
 33 shall have a current state license in order to operate.

34       ~~(4)~~ (d) Ambulance service minimum standards waiver -- The controlling  
 35 authority providing ambulance services may petition the ~~board~~ division  
 36 for waiver of the ambulance standards of ~~section 56-1016(2), Idaho~~  
 37 ~~Code,~~ subsection (2) of this section if compliance with these standards  
 38 would cause undue hardship on the community being served, or would re-  
 39 sult in abandonment of ambulance services.

40       ~~(5)~~ (e) Nontransport service minimum standards waiver -- The control-  
 41 ling authority providing nontransport services may petition the ~~EMS bu-~~  
 42 ~~reau~~ division for waiver of the twenty-four (24) hour response require-  
 43 ment of this section if the petition demonstrates that the community,  
 44 setting, industrial site or event is not populated on a twenty-four (24)  
 45 hour basis or does not exist on a three hundred sixty-five (365) day per  
 46 year basis or if compliance with these standards would cause undue hard-  
 47 ship on the community being served, or would result in abandonment of  
 48 nontransport services.

~~(6)~~ (f) Supervision -- A licensed physician shall supervise the medical activities provided by licensed personnel affiliated with the licensed agency, including, but not limited to: establishing standing orders and protocols, reviewing performance of licensed personnel, approving methods for licensed personnel to receive instructions for patient care via radio, telephone or in person, and other oversight as provided in ~~the rules of the commission~~ regulation.

~~(7)~~ (2) Applicants must submit the following information with their applications and agree to meet the following requirements as a condition of licensure:

(a) A declaration of anticipated applicant agency costs and revenues; a statement of projected changes in response time; and a narrative describing projected clinical benefits to patients resulting from licensure using methods defined in ~~board rules~~ applicable regulations concerning such matters on an application provided by the ~~EMS bureau division~~; and

(b) Collect and report data to the ~~EMS bureau division~~ upon receiving a license using a data collection system that is validated as compliant by the national emergency medical services information system technical assistance center in accordance with ~~board rules~~ applicable regulation.

~~(8)~~ (3) The ~~EMS bureau division~~ will provide notice of any such application to all cities, counties and other units of local government that have any geographic coverage area in common with the applicant in accordance with ~~board rules~~ applicable regulations. Such notice will include a summary of the applicant data supplied to the ~~EMS bureau division~~. Any other ~~EMS bureau division~~ use of the cost and revenue data supplied by applicants is limited exclusively to informational purposes.

~~(9)~~ Appeal of a denial of an applicant's license will be governed by IDAPA 16.05.03, rules governing contested case proceedings and declaratory rulings.

(4) If the division denies an application for any reason, then such decision may be appealed to the office of administrative hearings within forty-two (42) days of the date of the issuance of the denial at the request of the applicant whose request for a license was denied.

(a) The office of administrative hearings shall, within twenty-eight (28) days of receipt of the request, review the full record regarding the application and convene a public hearing regarding the appeal. After the public hearing, the hearing officer shall submit a written recommendation to the division and to the applicant requesting review. The recommendation by the hearing officer either to affirm or reverse the division's decision shall be based on the full record regarding the application, including this chapter and the regulations and standards established under this chapter. The recommendation shall be in writing and accompanied by a reasoned opinion.

(b) Within twenty-eight (28) days following the issuance of the hearing officer's written recommendation, the division shall either affirm or reverse its initial decision.

(c) If, upon reconsideration of a decision to deny an application, the division:



1           (i) Reverses its initial decision and approves the application,  
 2           then there shall be no further appeal; or  
 3           (ii) Affirms its initial decision denying the application, then  
 4           the applicant may appeal as set forth in chapter 52, title 67,  
 5           Idaho Code.

6           SECTION 9. That Section 56-1023, Idaho Code, be, and the same is hereby  
 7 amended to read as follows:

8           ~~56-1023 46-912. RULES. (1) The commission is authorized and directed~~  
 9 ~~to adopt appropriate rules defining the allowable scope of practice and acts~~  
 10 ~~and duties which can be performed by persons licensed by the EMS bureau and~~  
 11 ~~the required level of supervision by a licensed physician.~~

12           ~~(2) The board is authorized and directed to adopt appropriate rules and~~  
 13 ~~standards concerning the administration of sections 56-1011 through 56-1022~~  
 14 ~~and this section, Idaho Code, including criteria for educational programs,~~  
 15 ~~certification and licensure of personnel, certification of EMS instructors,~~  
 16 ~~licensure of ambulance, air medical and nontransport services, manufactur-~~  
 17 ~~ing standards for ambulances and nontransport vehicles, criteria for the~~  
 18 ~~use of air medical services by licensed EMS personnel at emergency scenes,~~  
 19 ~~establishment of fees for training, inspections and licensure, appropriate~~  
 20 ~~requirements for renewal of licensure of personnel and agencies and the man-~~  
 21 ~~agement of complaints, investigations and license actions against licensed~~  
 22 ~~EMS personnel and agencies. The rules of the board must be consistent with~~  
 23 ~~the rules adopted by the commission.~~

24           ~~(3) Additionally, the department shall develop guidelines, standards~~  
 25 ~~and procedures for reducing exposure to pathogens from human blood, tissue~~  
 26 ~~or fluids. Such guidelines, standards and procedures shall be made avail-~~  
 27 ~~able to all law enforcement personnel, all emergency medical services per-~~  
 28 ~~sonnel and agencies, and such other emergency personnel who request such in-~~  
 29 ~~formation.~~

30           Emergency medical service rules that are in effect on July 1, 2025,  
 31 shall remain in effect as if promulgated by the division and may be amended  
 32 as necessary by the division consistent with chapter 52, title 67, Idaho  
 33 Code, subject to legislative approval. Provided however, any authority to  
 34 promulgate rules under this chapter shall be null, void, and of no effect on  
 35 and after July 1, 2027.

36           SECTION 10. That Section 56-1024, Idaho Code, be, and the same is hereby  
 37 amended to read as follows:

38           ~~56-1024 46-914. IDAHO TIME SENSITIVE EMERGENCY SYSTEM OF CARE --~~  
 39 ~~STATEMENT OF INTENT. Time sensitive emergencies, specifically blunt trauma~~  
 40 ~~injuries, strokes and heart attacks, were three (3) of the top five (5)~~  
 41 ~~causes of ~~deaths~~ death in Idaho in 2011. Numerous studies throughout the~~  
 42 ~~United States have demonstrated that organized systems of care improve~~  
 43 ~~patient outcomes, thus reducing the frequency of preventable death and im-~~  
 44 ~~proving the functional status of the patient. The institute of medicine's~~  
 45 ~~report "Hospital-Based Emergency Care: At the Breaking Point" recommended~~  
 46 ~~improving the care of critical illness through regionalization by trans-~~  
 47 ~~porting critically ill patients to designated specialized care centers when~~

appropriate. Early treatment and transfer when necessary will save the lives of Idahoans stricken with these emergency conditions. Trauma systems of care are well understood as they have existed in many other states for decades. It is the intent of ~~this legislation~~ the legislature, in sections 46-914 through 46-922, Idaho Code, to create an integrated and responsive system of care for Idaho citizens. The trauma component will serve as the initial framework in a deliberate, incremental implementation approach for a comprehensive system of care for time sensitive emergencies in Idaho. The time sensitive emergency system in Idaho is intended to be voluntary and inclusive. The system will be designed such that all facilities, and in particular critical access hospitals, have the opportunity to participate. No facility shall be excluded from receiving medically appropriate patients based solely on the facility's decision of not seeking designation.

SECTION 11. That Section 56-1026, Idaho Code, be, and the same is hereby amended to read as follows:

~~56-1026~~ 46-915. IDAHO TIME SENSITIVE EMERGENCY SYSTEM -- CREATION AND DEFINITIONS. (1) There is hereby created a voluntary time sensitive emergency system within the ~~department of health and welfare division~~.

(2) As used in sections 46-914 through 46-922, Idaho Code:

(a) "Confidential information" means information that may identify a patient, health care facility, or health care practitioner.

(b) "Contractor" means an individual, partnership, corporation, or other entity performing TSE registry services under a contractual agreement with the division.

(c) "Council" means the Idaho time sensitive emergency system council.

(d) "De-identified information" means records and information contained in the TSE registry, including compilations and analyses thereof, that do not contain information that might identify a patient, health care facility, or health care practitioner.

(e) "Heart attack" means a STEMI, which is a common name for an ST-elevation myocardial infarction, a more precise description of a type of heart attack that is caused by a prolonged period of blocked blood supply that affects a large area of the heart and has a substantial risk of death and disability calling for a quick response.

(f) "Hospital" has the same meaning as in 42 CFR.

(g) "Stroke" means an interruption of blood flow to the brain causing paralysis, slurred speech, or altered brain function usually caused by a blockage in a blood vessel that carries blood to the brain (ischemic stroke) or by a blood vessel bursting (hemorrhagic).

(h) "Trauma" means the result of an act or event that damages, harms, or hurts a human being resulting in intentional or unintentional damage to the body resulting from acute exposure to mechanical, thermal, electrical, or chemical energy or from the absence of such essentials as heat or oxygen.

(i) "TSE" means a time sensitive emergency, specifically trauma, stroke, or heart attack.

(j) "TSE registry" means the population-based data system that provides ongoing and systematic collection, analysis, interpretation, and dissemination of information related to trauma, stroke, and heart

attack for system improvement, prevention, and research activities. Elements in the registry shall describe the nature and scope of the injury, illness, or health condition and identify the incidence and prevalence of traumatic injury, illness or health condition, severity of injury, performance of out-of-hospital and hospital emergency medical systems, patient outcomes, and the impact of trauma, stroke, and heart attack on the health care system.

(k) "TSE system" means the organized approach to treating injured patients that establishes and promotes standards for patient transportation, equipment, and information analysis for effective and coordinated TSE care. TSE systems represent a continuum of care that is fully integrated into the emergency medical services system and is a coordinated effort between out-of-hospital and hospital providers with the close cooperation of medical specialists in each phase of care. The focus is on prevention, coordination of acute care, and aggressive rehabilitation. Systems are designed to be inclusive of all patients with a TSE requiring acute care facilities, striving to meet the needs of the patient, regardless of the severity of injury, geographic location, or population density. A TSE system seeks to prevent injuries from happening and the reduction of death and disability when it does happen.

SECTION 12. That Section 56-1030, Idaho Code, be, and the same is hereby amended to read as follows:

~~56-1030 46-918. REGIONAL TIME SENSITIVE EMERGENCY COMMITTEES IDAHO TIME SENSITIVE EMERGENCY SYSTEM -- REGIONAL COMMITTEES -- MEMBERSHIP -- DUTIES. (1) Pursuant to section 56-1028(4), Idaho Code As required by this chapter, each substate region designated by the council shall have a time sensitive emergency committee.~~

(2) Membership of each regional TSE committee shall be based on the needs of the region and can be modified as the regional TSE committee determines, but each regional committee shall be initially comprised as follows:

(a) Each facility that is designated or is seeking designation by the council as a trauma center, stroke facility or heart attack facility may appoint one (1) representative for each of the designations that the facility holds or is seeking to hold to the regional committee for the region in which the facility is located;

(b) Each air medical EMS agency that provides patient transport within the region may appoint one (1) representative;

(c) Each hospital that either holds or is seeking Idaho trauma, stroke or heart attack designation may appoint the hospital administrator;

(d) Each EMS agency with a response area in the region may appoint one (1) representative; and

(e) The regional committee shall include a pediatrician or an expert in children's trauma.

(3) Members of a regional committee shall elect a chair to serve a term of two (2) years.

(4) The duties of each regional committee shall be as follows:

(a) Implement care guidelines, policies, procedures and protocols for the regional TSE system;

(b) Conduct regional quality improvement, including receipt of reports prepared by the council containing trauma, stroke and heart attack data and making recommendations to facilities within the region based upon those reports;

(c) Advise the council concerning the statewide system;

(d) Establish trauma, stroke and heart attack education and prevention programs;

(e) Provide advice concerning trauma, stroke and heart attack care to health care facilities and other providers of health care;

(f) Perform other duties required ~~by Idaho code and council rules in law and council regulations~~; and

(g) Conduct other activities needed to ensure optimal delivery of trauma, stroke and heart attack care services within the region.

SECTION 13. That Section 57-2004, Idaho Code, be, and the same is hereby amended to read as follows:

~~57-2004~~ 46-920. IDAHO TIME SENSITIVE EMERGENCY SYSTEM -- PARTICI-  
PATION IN PROGRAM TSE REGISTRY. (1) Each licensed hospital in the state  
 shall report each case of TSE ~~which~~ that meets the inclusion criteria to the  
~~department division~~ or the authorized contractor of the ~~department division~~  
 within one hundred eighty (180) days of treatment.

(2) Each report of TSE shall include information as defined by the  
~~department division~~.

(3) The ~~department division~~ or authorized contractor of the ~~department~~  
~~division~~ shall have physical access to all records ~~which~~ that would iden-  
 tify reportable cases and/or establish characteristics, treatment or medi-  
 cal status of reportable cases in the event that there has been a failure to  
 report as delineated in subsections (1) and (2) of this section.

(4) Nothing in this chapter shall prevent the ~~department division~~ or  
 authorized contractor from identifying and reporting cases using data link-  
 ages with death records, other registries, and other potential sources.

SECTION 14. That Section 57-2007, Idaho Code, be, and the same is hereby amended to read as follows:

~~57-2007~~ 46-922. IDAHO TIME SENSITIVE EMERGENCY SYSTEM -- TSE REGISTRY  
AND LIMITATION OF LIABILITY -- EXCEPTIONS. (1) No action for damages arising  
 from the disclosure of confidential information may be maintained against  
 any reporting entities or employees of such entities that participate in  
 good faith in the reporting of TSE registry data in accordance with this  
 chapter.

(2) No license of a health care facility or health care practitioner may  
 be denied, suspended or revoked for the good faith disclosure of confiden-  
 tial information in accordance with this chapter.

(3) The immunity granted in subsections (1) and (2) of this section  
 shall not be construed to apply to the unauthorized disclosure of confiden-  
 tial information when such disclosure is due to gross negligence or willful  
 misconduct of the reporting entities.

1       SECTION 15. That Chapter 8, Title 57, Idaho Code, be, and the same is  
2 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
3 ignated as Section 57-829, Idaho Code, and to read as follows:

4       57-829. EMERGENCY MEDICAL SERVICES FUND. (1) There is hereby created  
5 in the state treasury the emergency medical services fund to be managed by  
6 the state treasurer. Moneys in the fund shall consist of:

7       (a) Moneys transferred to the fund pursuant to section 49-452, Idaho  
8 Code;

9       (b) Moneys transferred to the fund pursuant to section 49-306, Idaho  
10 Code;

11       (c) Legislative appropriations to the fund;

12       (d) Any bequests or donations to the fund; and

13       (e) Interest earned on idle moneys in the fund.

14       (2) On July 1, 2025, or as soon thereafter as is practicable, the state  
15 controller shall transfer any unobligated moneys in the emergency medical  
16 services fund established in section 56-1018, Idaho Code, and the emergency  
17 medical services fund II established in section 56-1018A, Idaho Code, to the  
18 fund created in this section.

19       (3) Subject to legislative appropriation, the Idaho military division  
20 shall use and distribute moneys from the fund as provided in section 46-905,  
21 Idaho Code.

22       SECTION 16. That Chapter 8, Title 57, Idaho Code, be, and the same is  
23 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
24 ignated as Section 57-830, Idaho Code, and to read as follows:

25       57-830. EMERGENCY MEDICAL SERVICES VEHICLE AND EQUIPMENT GRANT  
26 FUND. (1) There is hereby created in the state treasury the emergency medical  
27 services vehicle and equipment grant fund to be managed by the state trea-  
28 surer. Moneys in the fund shall consist of:

29       (a) Moneys transferred to the fund pursuant to section 49-306, Idaho  
30 Code;

31       (b) Legislative appropriations to the fund;

32       (c) Any bequests or donations to the fund; and

33       (d) Interest earned on idle moneys in the fund.

34       (2) On July 1, 2025, or as soon thereafter as is practicable, the state  
35 controller shall transfer any unobligated moneys in the emergency medical  
36 services fund III established in section 56-1018B, Idaho Code, to the fund  
37 created in this section.

38       (3) Subject to legislative appropriation, the Idaho military division  
39 shall use and distribute moneys from the fund as provided in section 46-905,  
40 Idaho Code.

41       SECTION 17. That Section 57-2005, Idaho Code, be, and the same is hereby  
42 amended to read as follows:

43       ~~57-2005 57-831. CREATION OF TSE REGISTRY FUND -- PURPOSE TIME SENSI-~~  
44 ~~TIVE EMERGENCY REGISTRY FUND.~~ There is hereby created and established in the  
45 state treasury ~~a fund to be known as the "Time Sensitive Emergencies (TSE)-~~  
46 ~~Registry Fund"~~ the time sensitive emergency registry fund to which shall be

1 deposited the revenues derived from grants, appropriations or other sources  
 2 of funds. All moneys now or hereafter in the ~~TSE registry~~ fund are hereby  
 3 dedicated for the purpose of contracting for and obtaining the services of a  
 4 continuous registry of all time sensitive emergency incident patients in the  
 5 state of Idaho and maintaining a cooperative exchange of information with  
 6 other states providing a similar TSE incident registry. The ~~department of~~  
 7 ~~health and welfare, bureau of emergency medical services and preparedness,~~  
 8 Idaho military division is charged with the administration of this fund for  
 9 the purposes specified herein. All claims against the fund shall be exam-  
 10 ined, audited and allowed in the manner now or hereafter provided by law for  
 11 claims against the state of Idaho.

12 SECTION 18. That Section 6-902A, Idaho Code, be, and the same is hereby  
 13 amended to read as follows:

14 6-902A. SUPERVISORY PHYSICIAN. (1) For purposes of this chapter only,  
 15 a supervisory physician shall be considered an employee.

16 (2) As used in this section:

17 (a) "Supervisory duties" means those administrative duties of a physi-  
 18 cian who supervises personnel affiliated with a licensed ambulance or  
 19 ~~non-transport~~ nontransport service, including, but not limited to,  
 20 disciplining and educating personnel, setting staffing levels, emer-  
 21 gency medical services system design, establishing patient care guide-  
 22 lines and medical policies, compliance, establishing standing orders  
 23 and protocols, reviewing performance of personnel, quality management  
 24 and other reasonably necessary administrative duties.

25 (b) "Supervisory physician" means a physician licensed pursuant  
 26 to chapter 18, title 54, Idaho Code, who supervises the activities  
 27 of personnel affiliated with a licensed ambulance or ~~non-transport~~  
 28 nontransport service as described in ~~section 56-1011, Idaho Code, et~~  
 29 ~~seq.~~ chapter 9, title 46, Idaho Code, when the licensed ambulance or  
 30 ~~non-transport~~ nontransport service is operated under the control of a  
 31 governmental authority.

32 (3) The exceptions to liability set forth in sections 6-904, 6-904A and  
 33 6-904B, Idaho Code, shall not be applicable to a claim against a supervisory  
 34 physician for failure to properly perform supervisory duties. The liabil-  
 35 ity limit contained in section 6-926, Idaho Code, shall not be applicable to  
 36 a claim against a supervisory physician for failure to properly perform su-  
 37 pervisory duties to the extent that such supervisory physician is covered by  
 38 liability insurance exceeding that limit.

39 (4) Claims against a supervisory physician for failure to properly per-  
 40 form supervisory duties shall not be subject to the requirements of chapter  
 41 10, title 6, Idaho Code.

42 SECTION 19. That Section 9-203, Idaho Code, be, and the same is hereby  
 43 amended to read as follows:

44 9-203. CONFIDENTIAL RELATIONS AND COMMUNICATIONS. There are particu-  
 45 lar relations in which it is the policy of the law to encourage confidence and  
 46 to preserve it inviolate; therefore, a person cannot be examined as a witness  
 47 in the following cases:

1 (1) A husband cannot be examined for or against his wife, without her  
 2 consent, nor a wife for or against her husband, without his consent; nor can  
 3 either, during the marriage or afterwards, be, without the consent of the  
 4 other, examined as to any communication made by one to the other during the  
 5 marriage; but this exception does not apply to a civil action or proceeding  
 6 by one against the other nor to a criminal action or proceeding for a crime  
 7 committed by violence of one against the person of the other, nor does this  
 8 exception apply to any case of physical injury to a child where the injury has  
 9 been caused as a result of physical abuse or neglect by one or both of the par-  
 10 ents, nor does this exception apply to any case of lewd and lascivious con-  
 11 duct or attempted lewd and lascivious conduct where either party would oth-  
 12 erwise be protected by this privilege.

13 (2) An attorney cannot, without the consent of his client, be exam-  
 14 ined as to any communication made by the client to him, or his advice given  
 15 thereon, in the course of professional employment. The word client used  
 16 herein shall be deemed to include a person, a corporation or an association.

17 (3) A clergyman or priest cannot, without the consent of the person mak-  
 18 ing the confession, be examined as to any confession made to him in his pro-  
 19 fessional character in the course of discipline enjoined by the church to  
 20 which he belongs.

21 (4) A physician or surgeon cannot, without the consent of his patient,  
 22 be examined in a civil action as to any information acquired in attending the  
 23 patient ~~which~~ that was necessary to enable him to prescribe or act for the  
 24 patient; ~~provided~~, however, that:

25 (a) Nothing herein contained shall be deemed to preclude physicians  
 26 from reporting of and testifying at all cases of physical injury to  
 27 children, where it appears the injury has been caused as a result of  
 28 physical abuse or neglect by a parent, guardian or legal custodian of  
 29 the child.

30 (b) Nothing herein contained shall be deemed to preclude physicians  
 31 from testifying at all cases of physical injury to a person where it ap-  
 32 pears the injury has been caused as a result of domestic violence.

33 (c) After the death of a patient, in any action involving the valid-  
 34 ity of any will or other instrument executed, or claimed to have been  
 35 executed, by him, conveying or transferring any real or personal prop-  
 36 erty or incurring any financial obligation, such physician or surgeon  
 37 may testify to the mental or physical condition of such patient and in so  
 38 testifying may disclose information acquired by him concerning such pa-  
 39 tient ~~which~~ that was necessary to enable him to prescribe or act for such  
 40 deceased.

41 (d) Where any person, or his heirs or representatives, brings an action  
 42 to recover damages for personal injuries or death, such action shall be  
 43 deemed to constitute a consent by the person bringing such action that  
 44 any physician who has prescribed for or treated said injured or deceased  
 45 person and whose testimony is material in the action may testify.

46 (e) If the patient ~~be~~ is dead and during his lifetime had not given such  
 47 consent, the bringing of an action by a beneficiary, assignee or payee  
 48 or by the legal representative of the insured to recover on any life,  
 49 health or accident insurance policy shall constitute a consent by such

beneficiary, assignee, payee or legal representative to the testimony of any physician who attended the deceased.

(5) A public officer cannot be examined as to communications made to him in official confidence when the public interests would suffer by disclosure.

(6) Any certificated counselor, psychologist, or psychological examiner duly appointed, regularly employed, and designated in such capacity by any public or private school in this state for the purpose of counseling students shall be immune from disclosing, without the consent of the student, any communication made by any student so counseled or examined in any civil or criminal action to which such student is a party. Such matters so communicated shall be privileged and protected against disclosure.

(7) Any parent, guardian, or legal custodian shall not be forced to disclose any communication made to such parent, guardian, or legal custodian by their minor child or ward to them concerning matters in any civil or criminal action to which such child or ward is a party. Such matters so communicated shall be privileged and protected against disclosure; ~~excepting however,~~ this section does not apply to a civil action or proceeding by one against the other nor to a criminal action or proceeding for a crime committed by violence of one against the person of the other, nor does this section apply to any case of physical injury to a minor child where the injury has been caused as a result of physical abuse or neglect by one or both of the parents, guardians, or legal custodians.

(8) (a) As used in this subsection:

(i) "First responder" means:

1. A peace officer as defined in section 19-5101(d), Idaho Code, when employed by a city, county, or the Idaho state police;
2. A firefighter as defined in section 59-1302(16), Idaho Code;
3. A volunteer emergency responder as defined in section 72-102(31), Idaho Code;
4. An emergency medical service (EMS) provider or an ambulance-based clinician certified by the department of health and welfare pursuant to sections 56-1011 through 56-1018B, Idaho Code, and an ambulance-based clinician as defined in the rules governing emergency medical services as adopted by the department of health and welfare chapter 9, title 46, Idaho Code; and
5. An emergency communications officer as defined in section 19-5101(f), Idaho Code.

(ii) "Peer support counseling session" means a meeting conducted by a peer support specialist, which meeting is held in response to a critical incident, traumatic event, or other personal or professional wellness issue.

(iii) "Peer support specialist" means a person designated by a public agency employing first responders to lead, moderate, or assist in a peer support counseling session.

(b) Any peer support specialist or participant in a peer support counseling session cannot disclose and shall not be forced to disclose a communication made during or arising out of a peer support counseling



1 session without the consent of the person who made the communication or  
2 about whom the communication was made, unless the communication:

- 3 (i) Involves a threat of suicide or a threat to commit a criminal
- 4 act;
- 5 (ii) Involves information required by law to be reported; or
- 6 (iii) Is an admission of criminal conduct.

7 (c) Any disclosure permitted by paragraph (b) of this subsection that  
8 is made during or as part of court proceedings is subject to the rules of  
9 the Idaho supreme court.

10 (9) A person employed by or volunteering at a nongovernmental domestic  
11 or sexual violence program shall not, without the written and signed consent  
12 of the recipient of services, be required to or compelled to disclose any  
13 communication made between the person in the course of employment or volun-  
14 teer services for the domestic or sexual violence program and a recipient of  
15 the program's services or to disclose information or records about a recip-  
16 ient of the services of a domestic or sexual violence program, provided that  
17 disclosure of communications during or as part of court proceedings is sub-  
18 ject to the rules of the Idaho supreme court. The provisions of this subsec-  
19 tion shall not apply to communications made to a provider or employee during  
20 medical services, medical procedures, medical exams, medical evaluations,  
21 or forensic interviews.

22 (10) For purposes of this section:

23 (a) "Recipient" means any individual who has received or inquired about  
24 receiving services or assistance from a domestic or sexual violence  
25 program, including shelter, advocacy, counseling, or other services  
26 offered by a domestic or sexual violence program.

27 (b) "Domestic or sexual violence program" means any nonprofit or-  
28 ganization, nongovernmental organization, private entity, or tribe  
29 or tribal organization that has as its primary purpose the operation  
30 of shelters or supportive services for victims of domestic or sexual  
31 violence and their dependents or counseling, advocacy, or self-help  
32 services to victims of domestic or sexual violence.

33 SECTION 20. That Section 18-915, Idaho Code, be, and the same is hereby  
34 amended to read as follows:

35 18-915. ASSAULT OR BATTERY UPON CERTAIN PERSONNEL -- PUNISHMENT. (1)  
36 Any person who commits a crime provided for in this chapter against or upon  
37 a justice, judge, magistrate, prosecuting attorney, public defender, peace  
38 officer, bailiff, marshal, sheriff, police officer, peace officer standards  
39 and training employee involved in peace officer decertification activi-  
40 ties, emergency services dispatcher, correctional officer, employee of the  
41 department of correction, employee of a private prison contractor while  
42 employed at a private correctional facility in the state of Idaho, members  
43 or employees of the commission of pardons and parole, employees of the de-  
44 partment of water resources authorized to enforce the provisions of chapter  
45 38, title 42, Idaho Code, employees of the department of parks and recreation  
46 authorized to enforce the provisions of chapter 42, title 67, Idaho Code,  
47 employees of a public utility as described in section 61-129, Idaho Code,  
48 including any employee of a consumer-owned utility, jailer, parole officer,  
49 misdemeanor probation officer, officer of the Idaho state police, fireman,

1 social caseworkers or social work specialists of the department of health  
 2 and welfare, employee of a state secure confinement facility for juveniles,  
 3 employee of a juvenile detention facility, a teacher at a detention facil-  
 4 ity or a juvenile probation officer, emergency medical services personnel  
 5 licensed under the provisions of ~~chapter 10, title 56, chapter 9, title 46,~~  
 6 Idaho Code, a member, employee or agent of the state tax commission, United  
 7 States marshal, or federally commissioned law enforcement officer or their  
 8 deputies or agents, and the perpetrator knows or has reason to know of the  
 9 victim's status, the punishment shall be as follows:

10 (a) For committing battery with intent to commit a serious felony,  
 11 the punishment shall be imprisonment in the state prison not to exceed  
 12 twenty-five (25) years.

13 (b) For committing any other crime in this chapter, the punishment  
 14 shall be doubled that provided in the respective section, except as pro-  
 15 vided in subsections (2) and (3) of this section.

16 (2) For committing a violation of the provisions of section 18-901 or  
 17 18-903, Idaho Code, against the person of a former or present justice, judge  
 18 or magistrate, jailer or correctional officer or other staff of the depart-  
 19 ment of correction, or of a county jail, or of a private correctional facil-  
 20 ity, or of an employee of a state secure confinement facility for juveniles,  
 21 an employee of a juvenile detention facility, a teacher at a detention facil-  
 22 ity, misdemeanor probation officer, a juvenile probation officer, or member  
 23 or employee of the commission of pardons and parole:

24 (a) Because of the exercise of official duties or because of the vic-  
 25 tim's former or present official status; or

26 (b) While the victim is engaged in the performance of his duties and the  
 27 person committing the offense knows or reasonably should know that such  
 28 victim is a justice, judge or magistrate, jailer or correctional offi-  
 29 cer or other staff of the department of correction, or of a private cor-  
 30 rectional facility, an employee of a state secure confinement facility  
 31 for juveniles, an employee of a juvenile detention facility, a teacher  
 32 at a detention facility, misdemeanor probation officer or a juvenile  
 33 probation officer;

34 the offense shall be a felony punishable by imprisonment in a correctional  
 35 facility for a period of not more than five (5) years, and said sentence shall  
 36 be served consecutively to any sentence being currently served.

37 (3) For committing a violation of the provisions of section 18-903,  
 38 Idaho Code, except unlawful touching as described in section 18-903(b),  
 39 Idaho Code, against the person of a former or present peace officer, sheriff  
 40 or police officer:

41 (a) Because of the exercise of official duty or because of the victim's  
 42 former or present official status; or

43 (b) While the victim is engaged in the performance of his duties and the  
 44 person committing the offense knows or reasonably should know that such  
 45 victim is a peace officer, sheriff or police officer;

46 the offense shall be a felony punishable by imprisonment in a correctional  
 47 facility for a period of not more than five (5) years, and said sentence shall  
 48 be served consecutively to any sentence being currently served.

49 SECTION 21. That Section 31-3908, Idaho Code, be, and the same is hereby  
 50 amended to read as follows:

1        31-3908. AMBULANCE DISTRICT AUTHORIZED -- DISTRICTS FORMED BEFORE  
2 JULY 1, 2020. The provisions set forth in this section shall govern an ambu-  
3 lance district formed prior to July 1, 2020:

4        (1) The county commissioners of any county shall, upon petition signed  
5 by not less than fifty (50) qualified electors of said county, or any por-  
6 tion thereof, which may exclude incorporated cities, undertake the follow-  
7 ing procedure to determine the advisability of resolving to establish and  
8 maintain an ambulance service district within the county as may be desig-  
9 nated in the petition.

10        (a) A petition to form an ambulance service district shall be presented  
11 to the county clerk and recorder. The petition shall be signed by not  
12 less than fifty (50) of the resident real property holders within the  
13 proposed district. The petition shall designate the boundaries of the  
14 district.

15        (b) The petition shall be filed with the county clerk and recorder of  
16 the county in which the signers of the petition are located. Upon the  
17 filing of the petition, the county clerk shall examine the petition  
18 and certify whether the required number of petitioners have signed the  
19 petition. If the number of petition signers is sufficient, the clerk  
20 shall transmit the petition to the board of county commissioners.

21        (c) Upon receipt of a duly certified petition, the board of county com-  
22 missioners shall cause the text of the petition to be published once a  
23 week for at least three (3) consecutive weeks in a newspaper of general  
24 circulation within the county. With the publication of the petition,  
25 there shall be published a notice of the time of the meeting of the board  
26 of county commissioners when the petition will be considered stating  
27 that all persons interested may appear and be heard. No more than five  
28 (5) names attached to the petition shall appear in the publication and  
29 notice, but the number of signatures shall be stated.

30        At the time of filing the petition, the sponsors thereof shall cause  
31 to be deposited with the county clerk a sufficient sum of money to cover  
32 the cost of publication of the petition and all necessary notices. If  
33 the petition and notices are not published, the deposit shall be re-  
34 turned to whomever deposited the funds, and if there is any surplus  
35 remaining after paying for the publication as herein provided, it shall  
36 be returned to the original depositors, and if a district is created,  
37 the fees so expended are an obligation of the district and shall be re-  
38 paid by the district to the depositors.

39        (d) At the time set for hearing the petition, the board of county com-  
40 missioners shall hear all persons who desire to be heard relative to the  
41 creation of an ambulance service district. The board of county commis-  
42 sioners may, if they so desire and it appears desirable, adjourn the  
43 meeting for not to exceed thirty (30) days to further hear the petition-  
44 ers and protestants, if any. After the hearing or hearings, the board  
45 of county commissioners shall adopt a resolution either creating the  
46 proposed ambulance service district or denying the petition. When the  
47 board of county commissioners creates an ambulance service district,  
48 the board shall adopt a resolution describing the boundaries of the dis-  
49 trict.

(e) When the board of county commissioners adopts the resolution creating the ambulance service district, the board shall include in the resolution the name of the district and file a copy of the order creating the district with the county clerk and recorder, for which the clerk shall receive a fee of three dollars (\$3.00).

(f) Procedures for annexation, deannexation, or dissolution of a district created pursuant to this section shall be in substantial compliance with the provisions for public notice and hearing provided herein and shall be by resolution adopted by the board of county commissioners.

(2) When the board of county commissioners has ordered the creation of an ambulance service district, pursuant to the provisions of this section, such district is hereby recognized as a legal taxing district, and providing ambulance service is a governmental function.

(3) The board of county commissioners shall be the governing board of an ambulance service district created pursuant to this section and shall exercise the duties and responsibilities provided in chapter 39, title 31, Idaho Code.

(4) In any county where an ambulance service district is created as provided herein, the board of county commissioners is authorized to levy a special tax, not to exceed four-hundredths percent (.04%) of market value for assessment purposes, except as authorized by paragraph (a) of this subsection, upon all taxable property within the district for the purposes of the district, but the levy otherwise authorized in section 31-3901, Idaho Code, shall not be made on taxable property within the district.

(a) In any county where an ambulance service district:

(i) Was created as of January 1, 1976;

(ii) Had at the time of its creation a market value for assessment purposes of the district of less than three hundred million dollars (\$300,000,000); and

(iii) The service provided by the district is an advanced life support paramedic unit;

the board of county commissioners may submit to the electors within the district the question of whether the levy authorized in this subsection may be increased to a levy not to exceed six-hundredths percent (.06%) of market value for assessment purposes upon all taxable property within the district for the purposes of the district, if approved by a minimum of two-thirds (2/3) of the qualified electors of the district voting at an election called for that purpose and held on the May or November dates provided in section 34-106, Idaho Code, but the levy otherwise authorized in section 31-3901, Idaho Code, shall not be made on taxable property within the district.

(5) The board of county commissioners is authorized by resolution to create an ambulance district capital improvement account. The board may dedicate all or a portion of the fees and taxes collected pursuant to this chapter to the capital improvement account for the purpose of purchasing necessary buildings, land or equipment for the operation of the district. The board is further authorized to carry over and add to the funds in the account from year to year in order to make the purchases authorized by this subsection.

(6) The board of county commissioners is authorized by resolution to enter into cooperative agreements with other adjoining counties, adjoining fire protection districts, or other adjoining political subdivisions in Idaho or in other states in order to pool resources and increase efficiency and improve emergency medical services.

(7) As used in this chapter, "ambulance district" or "ambulance service district" means a political subdivision formed to provide ambulance transport, emergency medical services as defined in section ~~56-1012~~ 46-903, Idaho Code, community health emergency medical services as defined in section ~~56-1012~~ 46-903, Idaho Code, and/or other activities necessary to meet the community health needs of the district.

SECTION 22. That Section 33-4302, Idaho Code, be, and the same is hereby amended to read as follows:

33-4302. ARMED FORCES AND PUBLIC SAFETY OFFICER SCHOLARSHIPS.

(1) (a) The following individuals shall be eligible for the scholarship program provided for in this section:

(i) Any spouse or child of any Idaho resident who entered active service as an Idaho resident as indicated on a DD form 214 certificate of release or discharge from active duty and, while such service member is, or was if deceased, a resident of the state of Idaho:

1. Has been determined by the federal government to be a prisoner of war or missing in action; or
2. Died of, or is determined to be unemployable due to, injuries or wounds sustained during active duty or inactive duty training;

(ii) Any spouse or child of any member of the United States armed forces who is stationed in the state of Idaho on military orders and who:

1. Is deployed from the state of Idaho to any area of armed conflict in which the United States is a party and who has been determined by the federal government to be a prisoner of war or missing in action or has died of or is determined to be unemployable due to injuries or wounds sustained in action as a result of such deployment; or
2. Dies of, or is determined to be unemployable due to, injuries or wounds sustained during active duty or inactive duty training; and

(iii) Any spouse or child of a full-time or part-time public safety officer, as defined in paragraph (b) of this subsection, employed by or volunteering for the state of Idaho or for a political subdivision of the state of Idaho, which public safety officer is or was a resident of the state of Idaho at the time such officer was killed or totally and permanently disabled in the line of duty. The scholarship provided for in this section shall not be available unless it is determined that:

1. The death or disablement of the public safety officer occurred in the performance of the officer's duties;

2. The death or disablement was not caused by the intentional misconduct of the public safety officer or by such officer's intentional infliction of injury; and

3. The public safety officer was not voluntarily intoxicated at the time of death.

(b) As used in this section:

(i) "Active duty" means state active duty as defined in section 46-409, Idaho Code, or full-time duty with any of the United States armed forces.

(ii) "Inactive duty training" means training or maintenance activities prescribed, required, or authorized for military members that do not constitute active duty.

(iii) "Military member" means a member of the United States armed forces.

(iv) "Public safety officer" means a peace officer, a firefighter, ~~or a paramedic as defined in section 56-1012, Idaho Code, or an, emergency medical responder, emergency medical technician, or advanced emergency medical technician as defined in section 56-1012~~ 46-903, Idaho Code.

(v) "United States armed forces" means the air force, army, coast guard, marine corps, navy, or space force, or the reserve component of any such service.

(vi) "Volunteering" means contributing services as a bona fide member of a legally organized law enforcement agency, fire department, or licensed emergency medical service provider organization.

(2) (a) To be eligible for the scholarship provided for in this section, a child of a military member or a public safety officer must be a resident of the state of Idaho and must have completed secondary school or its equivalent in the state of Idaho. A child already born, or born after a military member or public safety officer is determined to be imprisoned or missing in action, or dies or becomes totally and permanently disabled, shall be eligible for this scholarship.

(b) To be eligible for the scholarship provided for in this section, the spouse of a military member or public safety officer must be a resident of the state of Idaho and must have been married to such person at the time the military member or public safety officer was determined to be imprisoned or missing in action or died or became totally and permanently disabled. However, in the situation of disability, the spouse must be currently married to such person.

(3) An eligible individual who applies for the scholarship provided for in this section shall, after verification of eligibility, receive the scholarship and be admitted to attend undergraduate studies at any public institution of higher education or public career technical college within the state of Idaho without the necessity of paying tuition and fees therefor; such student shall be provided with books, equipment, and supplies necessary for pursuit of such program of enrollment not to exceed seven hundred fifty dollars (\$750) per quarter, semester, intensified semester, or like educational period; and such student shall be furnished on-campus institution housing and subsistence for each month he or she is enrolled full-time under

1 this program and actually resides in such on-campus facility. However, such  
 2 undergraduate educational benefits shall not exceed a total of thirty-six  
 3 (36) months or four (4) nine (9) month periods. Effective July 1, 2022, the  
 4 initiation of such educational benefits shall extend for a period of nine-  
 5 teen (19) years after achieving a high school diploma or its equivalency or  
 6 for a period of ten (10) years after the event giving rise to the eligibility  
 7 for the scholarship, whichever is longer.

8 (4) The eligible individual shall meet such other educational qualifi-  
 9 cations as such institution of higher education or career technical college  
 10 has established for other prospective students of this state, as well as any  
 11 additional educational qualifications established by the state board of ed-  
 12 ucation and board of regents of the university of Idaho.

13 (5) Application for eligibility under this section shall be made to the  
 14 state board of education and the board of regents of the university of Idaho  
 15 or the state board for career technical education. The board shall verify  
 16 the eligibility of the applicant and communicate such eligibility to such  
 17 person and the affected institution or college.

18 (6) Affected institutions shall in their preparation of future budgets  
 19 include costs resultant from such tuition, fee, book, equipment, supply,  
 20 housing and subsistence loss for reimbursement from appropriations of state  
 21 funds.

22 (7) For purposes of this section, a member of the United States armed  
 23 forces is considered unemployable if at the time of application:

24 (a) The United States department of veterans affairs has made a deter-  
 25 mination of individual unemployability; or

26 (b) The United States social security administration has made or recog-  
 27 nized a determination of total and permanent disability, and the deter-  
 28 mination is based on injuries or wounds sustained during active duty or  
 29 inactive duty training.

30 (8) For the purposes of this section, a public safety officer is consid-  
 31 ered totally and permanently disabled if at the time of application a current  
 32 disability determination made by the public employee retirement system of  
 33 Idaho is in effect with respect to such individual.

34 (9) The state board of education and board of regents of the university  
 35 of Idaho may adopt rules to implement and administer the scholarship program  
 36 provided for in this section.

37 SECTION 23. That Section 39-1392a, Idaho Code, be, and the same is  
 38 hereby amended to read as follows:

39 39-1392a. DEFINITIONS. The following terms shall have the following  
 40 meanings when used in this section:

41 (1) "Emergency medical services personnel" means emergency medical  
 42 services providers ~~certified by the department of health and welfare pur-~~  
 43 ~~suant to section 56-1011 et seq. and ambulance-based clinicians licensed~~  
 44 ~~pursuant to chapter 9, title 46, Idaho Code, and ambulance-based clinicians~~  
 45 ~~as defined in the rules governing emergency medical services as promulgated~~  
 46 ~~by the department of health and welfare.~~

47 (2) "Group medical practice" means a partnership, corporation, limited  
 48 liability company, or other association formed for the purpose of offering  
 49 health care services through physicians and other licensed or otherwise au-

1   thorized health care providers who are partners, shareholders, members, em-  
2   ployees, or contractors of such group medical practice.

3   (3) "Health care organization" means a hospital, in-hospital medical  
4   staff committee, medical society, managed care organization, licensed emer-  
5   gency medical service, group medical practice, residential care facility or  
6   skilled nursing facility.

7   (4) "Hospital" means a facility in Idaho licensed under sections  
8   39-1301 through 39-1314, Idaho Code, and defined in section 39-1301(a) (1),  
9   Idaho Code.

10   (5) "In-hospital medical staff committees" means any individual doctor  
11   who is a hospital staff member, or any hospital employee, or any group of such  
12   doctors and/or hospital employees, who are duly designated a committee by  
13   hospital staff bylaws, by action of an organized hospital staff, or by action  
14   of the board of directors of a hospital, and which committee is authorized  
15   by said bylaws, staff or board of directors, to conduct research or study of  
16   hospital patient cases, or of medical questions or problems using data and  
17   information from hospital patient cases.

18   (6) "Licensed emergency medical service" means an ambulance service or  
19   a nontransport service licensed ~~by the department of health and welfare pur-~~  
20   ~~suant to section 56-1011 et seq.~~ pursuant to chapter 9, title 46, Idaho Code.

21   (7) "Managed care organization" means a public or private person or or-  
22   ganization ~~which~~ that offers a managed care plan.

23   (8) "Managed care plan" means a contract of coverage given to an indi-  
24   vidual, family or group of covered individuals pursuant to which a member is  
25   entitled to receive a defined set of health care benefits through an orga-  
26   nized system of health care providers in exchange for defined consideration  
27   and which requires the member to use, or creates financial incentives for the  
28   member to use, health care providers owned, managed, employed by or under  
29   contract with the managed care organization.

30   (9) "Medical society" means any duly constituted, authorized and rec-  
31   ognized professional society or entity made up of physicians licensed to  
32   practice medicine in Idaho, having as its purpose the maintenance of high  
33   quality in the standards of health care provided in Idaho or any region or  
34   segment of the state, operating with the approval of the Idaho state board  
35   of medicine, or any official committee appointed by the Idaho state board of  
36   medicine.

37   (10) "Patient care records" means written or otherwise recorded, pre-  
38   served and maintained records of the medical or surgical diagnostic, clini-  
39   cal, or therapeutic care of any patient treated by or under the direction of  
40   licensed professional personnel, including emergency medical services per-  
41   sonnel, in every health care organization subject to this act, whether as an  
42   inpatient or outpatient of the health care organization.

43   (11) "Peer review" means the collection, interpretation and analysis of  
44   data by a health care organization for the purpose of bettering the system  
45   of delivery of health care or to improve the provision of health care or to  
46   otherwise reduce patient morbidity and mortality and improve the quality of  
47   patient care. Peer review activities by a health care organization include,  
48   without limitation:

49   (a) Credentialing, privileging or affiliating of health care providers  
50   as members of, or providers for, a health care organization;



(b) Quality assurance and improvement, patient safety investigations and analysis, patient adverse outcome reviews, and root-cause analysis and investigation activities by a health care organization; and

(c) Professional review action, meaning an action or recommendation of a health care organization which is taken or made in the conduct of peer review, that is based on the competence or professional conduct of an individual physician or emergency medical services personnel where such conduct adversely affects or could adversely affect the health or welfare of a patient or the physician's privileges, employment or membership in the health care organization or in the case of emergency medical services personnel, the emergency medical services personnel's scope of practice, employment or membership in the health care organization.

(12) "Peer review records" means all evidence of interviews, reports, statements, minutes, memoranda, notes, investigative graphs and compilations and the contents thereof, and all physical materials relating to peer review of any health care organization. "Peer review records" does not mean or include patient care records; provided however, that the records relating to the identification of which particular patient care records were selected for, or reviewed, examined or discussed in peer review by a health care organization and the methodology used for selecting such records shall be considered peer review records.

(13) "Skilled nursing facility" means a facility licensed under chapter 13, title 39, Idaho Code, to provide skilled care to recipients.

SECTION 24. That Section 39-1393, Idaho Code, be, and the same is hereby amended to read as follows:

39-1393. NOTIFICATION OF PROFESSIONAL REVIEW ACTION IMPOSED UPON PHYSICIAN OR EMERGENCY MEDICAL SERVICES PERSONNEL. (1) Any health care organization in this state that is by law required to conduct peer review or which voluntarily formally elects to conduct professional review actions shall notify the board of medicine of professional review actions taken against physicians licensed in Idaho required to be reported as provided in this section. Such reports shall be made to the board of medicine within fifteen (15) days of completion of the professional review action by the health care organization. For emergency medical services personnel, such reports shall be made to the ~~department of health and welfare~~ Idaho military division within fifteen (15) days of completion of the professional review action by the health care organization. Such required reports shall be made on forms approved by the board of medicine for reports concerning physicians, or the ~~department of health and welfare~~ Idaho military division for reports concerning emergency medical services personnel, consistent with the reporting requirements of this section. The reporting obligation shall not be stayed by the filing of any court proceeding unless otherwise ordered by the court.

(2) A health care organization in Idaho shall report to the board of medicine if it:

(a) Takes a professional review action against a physician licensed in Idaho and imposes a sanction of the type included in subsection (3) of this section which lasts longer than thirty (30) days; or

(b) Accepts a voluntary sanction by a physician licensed in Idaho of the type identified in subsection (3) of this section while the physician is under investigation or to avoid investigation by the health care organization relating to the professional competence or professional conduct of the physician or in exchange for the health care organization not conducting such an investigation or initiating a professional review action, if the sanction lasts longer than thirty (30) days.

(3) Professional review action sanctions against a physician which must be reported to the board of medicine pursuant to subsection (2) of this section, whether voluntary or involuntary, shall be:

- (a) Restriction or limitation of privileges;
  - (b) Revocation of privileges;
  - (c) Suspension of privileges;
  - (d) Reduction of privileges;
  - (e) Denial of a request for initial privileges;
  - (f) Submission to monitoring of the physician's physical or mental condition;
  - (g) Submission to monitoring of the physician's delivery of medical services other than to assess and monitor the physician's qualifications for new or additional privileges;
  - (h) Surrender of privileges;
  - (i) Summary suspension or reduction of privileges lasting longer than thirty (30) days;
  - (j) Termination of employment;
  - (k) Suspension of employment lasting longer than thirty (30) days.
- (4) The reporting requirements of this section shall not apply to:
- (a) Actions based on compliance with medical records or confidentiality requirements of a health care organization;
  - (b) Voluntary requests for assistance or monitoring by a physician as part of an educational process to improve physician skills or enhance patient care when unrelated to a professional review action concerning the quality or necessity of patient medical care;
  - (c) Voluntary or involuntary revocation, nonrenewal, denial, reduction, restriction, resignation, or limitation of privileges or employment of a physician based upon factors not directly impacting the quality of patient care or safety of practice of the physician;
  - (d) Adverse actions taken against a physician by a health care organization that is not required by law to conduct peer review and that has not voluntarily formally elected to conduct professional review actions; and
  - (e) The denial of a physician's request for additional privileges or credentials with a health care organization.

(5) The report to the board of medicine required by this section shall include a statement of the quality of care concerns or professional conduct that is the basis of the professional review action or investigation and the reportable professional review action sanction voluntarily accepted or involuntarily imposed.

(6) A health care organization required to report a professional review action concerning a physician to the board of medicine pursuant to this sec-

tion shall, if requested by the board of medicine, provide to the board the following:

(a) A statement of the specific quality of care concerns or professional conduct which resulted in the professional review action sanction;

(b) A statement of the specific professional review action sanction; and

(c) Any patient care records of the health care organization regarding the care provided by the reported physician. However, the board of medicine may not request or require production of any peer review records from any person or health care organization, including the identification of which particular patient care records were selected for, or reviewed, examined or discussed in any peer review activity of a health care organization, or the method used by the health care organization to select such patient care records for peer review.

(7) The records lawfully requested by the board of medicine pursuant to subsection (6) of this section shall be provided by the health care organization without a subpoena or court order. If the health care organization fails to comply with the board of medicine's lawful request, the board may petition the district court for an order compelling compliance with the board's request, which shall be granted if disclosure is required by law.

(8) Professional review action sanctions against emergency medical services personnel, whether voluntary or involuntary, which are the result of any action, conduct, or failure to act which is inconsistent with the professionalism and/or standards established in the rules governing emergency medical services personnel as promulgated by the department of health and welfare must be reported to the department of health and welfare. by the Idaho military division must be reported to the Idaho military division.

(9) The report to the ~~department of health and welfare~~ Idaho military division required by this section shall include a statement of the quality of care concerns or professional conduct that is the basis of the professional review action or investigation and the reportable professional review action sanction voluntarily accepted or involuntarily imposed.

(10) Any person or health care organization that provides notification as required by law, or in a good faith belief that such notification is required by law, shall be immune from any civil or other liability arising from providing the notification. Such immunity shall likewise pertain to the provision of files, records and information a health care organization may in good faith provide to the board of medicine pursuant to this section or other applicable law. Such materials provided to the board of medicine shall be subject to disclosure by the board according to chapter 1, title 74, Idaho Code, and available only to the board of medicine and its staff unless and until such matter becomes the subject of formal proceedings by or before the board of medicine or authorized by it.

SECTION 25. That Section 39-4703, Idaho Code, be, and the same is hereby amended to read as follows:

39-4703. DEFINITIONS. As used in this chapter:

1 (1) "Accident" means any event that results in an unintended injury or  
 2 property damage attributable directly or indirectly to the motion of a motor  
 3 vehicle or its load, a snowmobile, or special mobile equipment.

4 (2) "Department" means the department of health and welfare.

5 (3) "Driver" means every person who drives or is in actual physical con-  
 6 trol of a vehicle.

7 (4) "Emergency medical responder" means:

8 (a) Emergency medical services ~~licensed personnel as defined in sec-~~  
 9 ~~tion 56-1012(19)~~ licensed pursuant to chapter 9, title 46, Idaho Code;  
 10 or

11 (b) A physician, nurse, or other health care provider on the scene of  
 12 a motor vehicle accident or emergency situation as provided in section  
 13 39-4708, Idaho Code, or who is accompanying or attending a patient re-  
 14 moved from such an accident or emergency situation in an ambulance.

15 (5) "Motor vehicle" or "vehicle" means every vehicle that is self-pro-  
 16 pelled and, for the purpose of titling and registration meets federal motor  
 17 vehicle safety standards as defined in section 49-107, Idaho Code. Motor ve-  
 18 hicle does not include vehicles moved solely by human power, electric per-  
 19 sonal assistive mobility devices, personal delivery devices, electric-as-  
 20 sisted bicycles, and motorized wheelchairs or other such vehicles that are  
 21 specifically exempt from titling or registration requirements under title  
 22 49, Idaho Code.

23 (6) "Other responder" means a firefighter, peace officer, or other law  
 24 enforcement personnel on the scene.

25 (7) "Peace officer" means any employee of a police or law enforcement  
 26 agency that is a part of or administered by the state or any political subdivi-  
 27 sion thereof and whose duties include and primarily consist of the preven-  
 28 tion and detection of crime and the enforcement of penal, traffic, or highway  
 29 laws of this state or any political subdivision of this state.

30 (8) "Yellow dot motor vehicle medical information program" or "yellow  
 31 dot program" means the program established pursuant to this chapter.

32 SECTION 26. That Section 39-8202, Idaho Code, be, and the same is hereby  
 33 amended to read as follows:

34 39-8202. DEFINITIONS. As used in this chapter, the following terms  
 35 shall mean:

36 (1) "Custodial parent," for the purposes of this chapter, means, in the  
 37 absence of a court decree, the parent with whom the child resides.

38 (2) "Newborn safety device" means a device that is voluntarily in-  
 39 stalled in a supporting wall of a hospital, fire station, law enforcement  
 40 agency, or medical services provider that is staffed twenty-four (24) hours  
 41 per day and that has an exterior point of access allowing an individual to  
 42 place a newborn infant inside and an interior point of access allowing indi-  
 43 viduals inside the building to safely retrieve the newborn infant.

44 (3) "Safe haven" means:

45 (a) Hospitals licensed in the state of Idaho;

46 (b) Licensed physicians in the state of Idaho and staff working at their  
 47 offices and clinics;

48 (c) Advanced practice professional nurses, including certified nurse-  
 49 midwives, clinical nurse specialists, nurse practitioners and certi-

1       fied registered nurse anesthetists licensed or registered pursuant to  
2       chapter 14, title 54, Idaho Code;

3       (d) Physician assistants licensed pursuant to chapter 18, title 54,  
4       Idaho Code;

5       (e) Medical personnel acting or serving in the capacity as a licensed  
6       provider, affiliated with a recognized Idaho EMS agency. For purposes  
7       of this act, "medical personnel" shall include those individuals certi-  
8       fied by the ~~department of health and welfare~~ Idaho military division as:

9           (i) First responders;

10          (ii) Emergency medical technicians - basic;

11          (iii) Advanced emergency medical technicians - ambulance;

12          (iv) Emergency medical technicians - intermediate; and

13          (v) Emergency medical technicians - paramedic; and

14       (f) A fire station operated by a city, a county, a tribal entity, a fire  
15       protection district or a volunteer fire department if there are person-  
16       nel on duty.

17       SECTION 27. That Section 46-1007, Idaho Code, be, and the same is hereby  
18       amended to read as follows:

19       46-1007. LIMITATIONS. Nothing in this act shall be construed to:

20       (1) Interfere with the course or conduct of a labor dispute, except that  
21       actions otherwise authorized by this act or other laws may be taken when nec-  
22       essary to forestall or mitigate imminent or existing danger to public health  
23       or safety;

24       (2) Interfere with dissemination of news or comment on public affairs;

25       (3) Affect the jurisdiction or responsibilities of police forces, fire  
26       fighting forces, local emergency medical service (EMS) agencies licensed by  
27       the ~~state department of health and welfare EMS bureau~~ Idaho military divi-  
28       sion, units of the armed forces of the United States, or of any personnel  
29       thereof, when on active duty; but state, local, and intergovernmental disas-  
30       ter emergency plans shall place reliance upon the forces available for per-  
31       formance of functions related to disaster emergencies; or

32       (4) Limit, modify, or abridge the authority of the governor to proclaim  
33       martial law or exercise any other powers vested in him under the constitution  
34       or statutes of this state independent of or in conjunction with any provi-  
35       sions of this act.

36       SECTION 28. That Section 49-123, Idaho Code, be, and the same is hereby  
37       amended to read as follows:

38       49-123. DEFINITIONS -- V. (1) "Variable load suspension axle" means an  
39       axle or axles designed to support a part of the vehicle and load and which  
40       can be regulated to vary the amount of load supported by such an axle or axles  
41       and which can be deployed or lifted by the operator of the vehicle. (See also  
42       section 49-117, Idaho Code)

43       (a) "Fully raised" means that the variable load suspension axle is in  
44       an elevated position preventing the tires on such axle from having any  
45       contact with the roadway.

1 (b) "Fully deployed" means that the variable load suspension axle is  
2 supporting a portion of the weight of the loaded vehicle as controlled  
3 by the preset pressure regulator valve.

4 (2) "Vehicle" means:

5 (a) General. Every device in, upon, or by which any person or property  
6 is or may be transported or drawn upon a highway, excepting devices used  
7 exclusively upon stationary rails or tracks.

8 (b) Assembled vehicle or vessel. A vehicle or vessel, not including a  
9 salvage vehicle or vessel, that has been constructed using major compo-  
10 nent parts from two (2) or more vehicles or vessels or that has been re-  
11 paired using new factory major component parts so that the resulting ve-  
12 hicle or vessel has the same appearance as a vehicle or vessel that was  
13 manufactured under a specific make and model by a manufacturer. A vehi-  
14 cle or vessel utilizing a kit for the entire body or a glider kit vehicle  
15 is not an assembled vehicle.

16 (c) Authorized emergency vehicle. Vehicles operated by any fire  
17 department or law enforcement agency of the state of Idaho or any po-  
18 litical subdivision of the state, ambulances, vehicles belonging to  
19 personnel of voluntary fire departments while in performance of offi-  
20 cial duties only, vehicles belonging to or operated by EMS personnel  
21 certified or otherwise recognized by the ~~EMS bureau of the Idaho de-~~  
22 ~~partment of health and welfare~~ Idaho military division while in the  
23 performance of emergency medical services, sheriff's search and rescue  
24 vehicles that are under the immediate supervision of the county sher-  
25 iff, wreckers that are engaged in motor vehicle recovery operations  
26 and are blocking part or all of one (1) or more lanes of traffic, other  
27 emergency vehicles designated by the director of the Idaho state police  
28 or vehicles authorized by the Idaho transportation board and used in the  
29 enforcement of laws specified in section 40-510, Idaho Code, pertaining  
30 to vehicles of ten thousand (10,000) pounds or greater.

31 (d) Commercial vehicle or commercial motor vehicle. For the purposes  
32 of chapters 3 and 9 of this title, driver's licenses and vehicle equip-  
33 ment, a motor vehicle or combination of motor vehicles designed or used  
34 to transport passengers or property if the motor vehicle:

35 (i) Has a manufacturer's gross combination weight rating (GCWR)  
36 in excess of twenty-six thousand (26,000) pounds inclusive of  
37 a towed unit with a manufacturer's gross vehicle weight rating  
38 (GVWR) of more than ten thousand (10,000) pounds; or

39 (ii) Has a manufacturer's gross vehicle weight rating (GVWR) in  
40 excess of twenty-six thousand (26,000) pounds; or

41 (iii) Is designed to transport sixteen (16) or more people, in-  
42 cluding the driver; or

43 (iv) Is of any size and is used in the transportation of materials  
44 found to be hazardous for the purposes of the hazardous material  
45 transportation act and which require the motor vehicle to be plac-  
46 arded under the hazardous materials regulations (49 CFR part 172,  
47 subpart F).

48 For the purposes of chapter 4, title 49, Idaho Code, motor vehicle  
49 registration, a vehicle or combination of vehicles of a type used or  
50 maintained for the transportation of persons for hire, compensation or

1 profit, or the transportation of property for the owner of the vehicle,  
2 or for hire, compensation, or profit, and shall include fixed load spe-  
3 cially constructed vehicles exceeding the limits imposed by chapter  
4 10, title 49, Idaho Code, and including drilling rigs, construction,  
5 drilling and wrecker cranes, log jammers, log loaders, and similar  
6 vehicles which are normally operated in an overweight or oversize  
7 condition or both, but shall not include those vehicles registered pur-  
8 suant to sections 49-402 and 49-402A, Idaho Code, or exempted by section  
9 49-426, Idaho Code. A motor vehicle used in a ridesharing arrangement  
10 that has a seating capacity for not more than fifteen (15) persons,  
11 including the driver, shall not be a "commercial vehicle" under the pro-  
12 visions of this title relating to equipment requirements, rules of the  
13 road, or registration.

14 (e) Farm vehicle. A vehicle or combination of vehicles owned by a  
15 farmer or rancher, or by his designated agent, which are operated over  
16 public highways, and used exclusively to transport unprocessed agri-  
17 cultural products raised, owned or grown by the owner of the vehicle to  
18 market or place of storage; and shall include the transportation by the  
19 farmer or rancher of any equipment, supplies or products purchased by  
20 that farmer or rancher for his own use, and used in the farming or ranch-  
21 ing operation or used by a farmer partly in transporting agricultural  
22 products or livestock from the farm of another farmer that were origi-  
23 nally grown or raised on the farm, or when used partly in transporting  
24 agricultural supplies, equipment, materials or livestock to the farm  
25 of another farmer for use or consumption on the farm but not transported  
26 for hire, and shall not include vehicles of husbandry or vehicles regis-  
27 tered pursuant to sections 49-402 and 49-402A, Idaho Code.

28 (f) Foreign vehicle. Every vehicle of a type required to be registered  
29 under the provisions of this title brought into this state from another  
30 state, territory or country other than in the ordinary course of busi-  
31 ness by or through a manufacturer or dealer and not registered in this  
32 state.

33 (g) Glider kit vehicle. Every large truck manufactured from a kit man-  
34 ufactured by a manufacturer of large trucks which consists of a frame,  
35 cab complete with wiring, instruments, fenders and hood and front axles  
36 and wheels. The "glider kit" is made into a complete assembly by the ad-  
37 dition of the engine, transmission, rear axles, wheels and tires.

38 (h) Motor vehicle. Every vehicle that is self-propelled, and for the  
39 purpose of titling and registration meets federal motor vehicle safety  
40 standards as defined in section 49-107, Idaho Code. Motor vehicle does  
41 not include vehicles moved solely by human power, electric personal  
42 assistive mobility devices, personal delivery devices, electric-as-  
43 sisted bicycles, and motorized wheelchairs or other such vehicles that  
44 are specifically exempt from titling or registration requirements un-  
45 der title 49, Idaho Code.

46 (i) Multipurpose passenger vehicle (MPV). For the purposes of section  
47 49-966, Idaho Code, a motor vehicle designed to carry ten (10) or fewer  
48 persons which is constructed either on a truck chassis or with special  
49 features for occasional off-road operation.

1 (j) Neighborhood electric vehicle (NEV). A self-propelled, electri-  
2 cally powered, four-wheeled motor vehicle which is emission free and  
3 conforms to the definition and requirements for low-speed vehicles as  
4 adopted in the federal motor vehicle safety standards for low-speed ve-  
5 hicles under federal regulations at 49 CFR part 571. An NEV shall be ti-  
6 tled, registered and insured according to law as provided respectively  
7 in chapters 4, 5 and 12, title 49, Idaho Code, and shall only be operated  
8 by a licensed driver. Operation of an NEV on a highway shall be allowed  
9 as provided in section 49-663, Idaho Code.

10 (k) Noncommercial vehicle. For the purposes of chapter 4, title 49,  
11 Idaho Code, motor vehicle registration, a noncommercial vehicle shall  
12 not include those vehicles required to be registered under sections  
13 49-402 and 49-402A, Idaho Code, and means all other vehicles or combi-  
14 nations of vehicles which are not commercial vehicles or farm vehicles,  
15 but shall include motor homes. A noncommercial vehicle shall include  
16 those vehicles having a combined gross weight not in excess of sixty  
17 thousand (60,000) pounds and not held out for hire, used for purposes  
18 related to private use and not used in the furtherance of a business or  
19 occupation for compensation or profit or for transporting goods for  
20 other than the owner.

21 (l) Passenger car. For the purposes of section 49-966, Idaho Code, a  
22 motor vehicle, except a multipurpose passenger vehicle, motorcycle or  
23 trailer, designed to carry ten (10) or fewer persons.

24 (m) Rebuilt salvage vehicle or vessel. Every vehicle or vessel previ-  
25 ously determined or declared to be a salvage vehicle that has been re-  
26 built or repaired using like make and model parts and visually appears  
27 as a vehicle or vessel that was originally constructed under a distinc-  
28 tive manufacturer. This includes a salvage vehicle or vessel which is  
29 damaged to the extent that a "rebuilt salvage" brand is required to be  
30 added to the title.

31 (n) Replica vehicle or vessel. A vehicle or vessel made to replicate  
32 any vehicle or vessel previously manufactured, using metal, fiberglass  
33 or other composite materials. Replica vehicles must look like the origi-  
34 nal vehicle being replicated but may use a more modern drive train. At  
35 a minimum, replica vehicles shall meet the same federal motor vehicle  
36 safety and emission standards in effect for the year and type of vehicle  
37 being replicated.

38 (o) Salvage vehicle or vessel. Any vehicle or vessel for which a sal-  
39 vage certificate of title, salvage bill of sale or other documentation  
40 has been issued showing evidence that the vehicle or vessel has been de-  
41 clared salvage or which has been damaged to the extent that the owner,  
42 or an insurer, or other person acting on behalf of the owner, determines  
43 that the cost of parts and labor minus the salvage value makes it uneco-  
44 nomical to repair or rebuild. When an insurance company has paid money  
45 or has made other monetary settlement as compensation for a total loss  
46 of any vehicle or vessel, such vehicle shall be considered to be a sal-  
47 vage vehicle or vessel.

48 (p) Specially constructed vehicle or vessel. Every vehicle or vessel  
49 of a type required to be registered not originally constructed under a  
50 distinctive name, make, model or type by a generally recognized man-



1 manufacturer of vehicles or vessels and not materially altered from its  
 2 original construction and cannot be visually identified as a vehicle or  
 3 vessel produced by a particular manufacturer. This includes:

4 (i) A vehicle or vessel that has been structurally modified so  
 5 that it does not have the same appearance as a similar vehicle or  
 6 vessel from the same manufacturer; or

7 (ii) A vehicle or vessel that has been constructed entirely from  
 8 homemade parts and materials not obtained from other vehicles or  
 9 vessels; or

10 (iii) A vehicle or vessel that has been constructed by using major  
 11 component parts from one (1) or more manufactured vehicles or ves-  
 12 sels and cannot be identified as a specific make or model; or

13 (iv) A vehicle or vessel constructed by the use of a custom kit  
 14 that cannot be visually identified as a specific make or model.  
 15 All specially constructed vehicles of a type required to be reg-  
 16 istered shall be certified by the owner to meet all applicable  
 17 federal motor vehicle safety standards in effect at the time con-  
 18 struction is completed, and all requirements of chapter 9, title  
 19 49, Idaho Code.

20 (q) Specialty off-highway vehicle. A specialty off-highway vehicle as  
 21 defined in section 67-7101, Idaho Code.

22 (r) Tank vehicle.

23 (i) Any commercial motor vehicle transporting, or designed to  
 24 transport, any liquid or gaseous materials within:

25 1. A tank that is either permanently or temporarily attached  
 26 or secured to the vehicle or chassis and has a rated capacity  
 27 of one thousand (1,000) gallons or more; or

28 2. Multiple tanks either permanently or temporarily at-  
 29 tached or secured, when the aggregate rated capacity of  
 30 those tanks is one thousand (1,000) gallons or more, as de-  
 31 termined by adding the capacity of each individual tank with  
 32 a capacity of more than one hundred nineteen (119) gallons.

33 (ii) If a commercial motor vehicle transports one (1) or more  
 34 tanks that are manifested either as empty or as residue and that  
 35 are actually empty or contain only residue, those tanks shall not  
 36 be considered in determining whether the vehicle is a tank vehi-  
 37 cle.

38 (s) Total loss vehicle. Every vehicle that is deemed to be uneconomi-  
 39 cal to repair. A total loss shall occur when an insurance company or any  
 40 other person pays or makes other monetary settlement to the owner when  
 41 it is deemed to be uneconomical to repair the damaged vehicle. The com-  
 42 pensation for total loss as defined herein shall not include payments  
 43 by an insurer or other person for medical care, bodily injury, vehicle  
 44 rental or for anything other than the amount paid for the actual damage  
 45 to the vehicle.

46 (3) "Vehicle identification number." (See "identifying number," sec-  
 47 tion 49-110, Idaho Code)

48 (4) "Vehicle salesman" means any person who, for a salary, commission  
 49 or compensation of any kind, is employed either directly or indirectly, or  
 50 regularly or occasionally by any dealer to sell, purchase or exchange, or to

negotiate for the sale, purchase or exchange of vehicles. (See also "full-time salesman," section 49-107, Idaho Code, and "part-time salesman," section 49-117, Idaho Code)

(5) "Vessel." (See section 67-7003, Idaho Code)

(6) "Veteran." (See section 65-203, Idaho Code)

(7) "Violation" means a conviction of a misdemeanor charge involving a moving traffic violation, or an admission or judicial determination of the commission of an infraction involving a moving traffic infraction, except bicycle infractions.

SECTION 29. That Section 49-306, Idaho Code, be, and the same is hereby amended to read as follows:

49-306. APPLICATION FOR DRIVER'S LICENSE, INSTRUCTION PERMIT, COMMERCIAL LEARNER'S PERMIT OR RESTRICTED SCHOOL ATTENDANCE DRIVING PERMIT. (1) Every application for any instruction permit, restricted school attendance driving permit, or driver's license shall be made on a form furnished by the department and shall be verified by the applicant before a person authorized to administer oaths. Officers and employees of the department, agents authorized by the department, and sheriffs and their deputies are authorized to administer the oaths without charge.

(2) Every application for a permit, extension, driver's license, or knowledge test shall be accompanied by a nonrefundable fee pursuant to this subsection. Fee portions identified as going to the current expense fund shall be retained by the issuing entity. If the issuing entity is the department or an agent authorized by the department, other than the county, such fee portion shall be deposited in the state highway account. All other remaining fee portions shall be remitted to the state treasurer. If the fee is collected by a county, all remaining fee portions shall be paid over to the county treasurer and the county treasurer shall remit such fees to the state treasurer not less than monthly. The state treasurer shall immediately allocate such fees in accordance with the schedule identified following each fee:

(a) Class A, B, C (4-year) license with endorsements --

age 21 years and older .....\$40.00

(i) \$5.00 to the current expense fund;

(ii) \$2.00 to the emergency medical services fund ~~++~~ established in section 57-829, Idaho Code;

(iii) \$4.00 to the emergency medical services vehicle and equipment grant fund ~~+++~~ established in section 57-830, Idaho Code;

(iv) \$28.00 to the state highway account; and

(v) \$1.00 to the motorcycle safety program fund;

(b) Class A, B, C (8-year) license with endorsements --

age 21 years and older .....\$60.00

(i) \$5.00 to the current expense fund;

(ii) \$4.00 to the emergency medical services fund ~~++~~ established in section 57-829, Idaho Code;

(iii) \$8.00 to the emergency medical services vehicle and equipment grant fund ~~+++~~ established in section 57-830, Idaho Code;

(iv) \$41.00 to the state highway account; and

(v) \$2.00 to the motorcycle safety program fund;

- 1 (c) Class A, B, C (3-year) license with endorsements --  
2 age 18 to 21 years .....\$30.00  
3 (i) \$5.00 to the current expense fund;  
4 (ii) \$1.50 to the emergency medical services fund ~~II~~ established  
5 in section 57-829, Idaho Code;  
6 (iii) \$3.00 to the emergency medical services vehicle and equip-  
7 ment grant fund III established in section 57-830, Idaho Code;  
8 (iv) \$19.50 to the state highway account; and  
9 (v) \$1.00 to the motorcycle safety program fund;  
10 (d) Class A, B, C (1-year) license with endorsements -- age  
11 20 years .....\$15.00  
12 (i) \$5.00 to the current expense fund;  
13 (ii) \$0.50 to the emergency medical services fund ~~II~~ established  
14 in section 57-829, Idaho Code;  
15 (iii) \$1.00 to the emergency medical services vehicle and equip-  
16 ment grant fund III established in section 57-830, Idaho Code;  
17 (iv) \$8.16 to the state highway account; and  
18 (v) \$0.34 to the motorcycle safety program fund;  
19 (e) Class D (3-year) license -- age 18 to 21 years .....\$30.00  
20 (i) \$10.00 to the current expense fund;  
21 (ii) \$1.50 to the emergency medical services fund ~~II~~ established  
22 in section 57-829, Idaho Code;  
23 (iii) \$3.00 to the emergency medical services vehicle and equip-  
24 ment grant fund III established in section 57-830, Idaho Code;  
25 (iv) \$4.00 to the driver training fund;  
26 (v) \$10.50 to the highway distribution account; and  
27 (vi) \$1.00 to the motorcycle safety program fund;  
28 (f) Class D (1-year) license -- age 17 to 20 years .....\$20.00  
29 (i) \$10.00 to the current expense fund;  
30 (ii) \$0.50 to the emergency medical services fund ~~II~~ established  
31 in section 57-829, Idaho Code;  
32 (iii) \$1.00 to the emergency medical services vehicle and equip-  
33 ment grant fund III established in section 57-830, Idaho Code;  
34 (iv) \$1.33 to the driver training fund;  
35 (v) \$6.83 to the highway distribution account; and  
36 (vi) \$0.34 to the motorcycle safety program fund;  
37 (g) Class D (4-year) license -- age 21 years and  
38 older .....\$35.00  
39 (i) \$10.00 to the current expense fund;  
40 (ii) \$2.00 to the emergency medical services fund ~~II~~ established  
41 in section 57-829, Idaho Code;  
42 (iii) \$4.00 to the emergency medical services vehicle and equip-  
43 ment grant fund III established in section 57-830, Idaho Code;  
44 (iv) \$5.30 to the driver training fund;  
45 (v) \$12.70 to the highway distribution account; and  
46 (vi) \$1.00 to the motorcycle safety program fund;  
47 (h) Class D (8-year) or class A, B, C license with  
48 endorsements -- age 21 to 63 years .....\$60.00  
49 (i) \$15.00 to the current expense fund;

- 1           (ii) \$4.00 to the emergency medical services fund ~~II~~ established  
2           in section 57-829, Idaho Code;
- 3           (iii) \$8.00 to the emergency medical services vehicle and equip-  
4           ment grant fund ~~III~~ established in section 57-830, Idaho Code;
- 5           (iv) \$10.60 to the driver training fund;
- 6           (v) \$20.40 to the highway distribution account; and
- 7           (vi) \$2.00 to the motorcycle safety program fund;
- 8       (i) Commercial learner's permit .....\$29.00
- 9           (i) \$5.00 to the current expense fund;
- 10          (ii) \$4.00 to the emergency medical services vehicle and equip-  
11          ment grant fund ~~III~~ established in section 57-830, Idaho Code; and
- 12          (iii) \$20.00 to the state highway account;
- 13       (j) Class D instruction permit and supervised instruction  
14       permit .....\$20.00
- 15           (i) \$10.00 to the current expense fund;
- 16           (ii) \$2.60 to the driver training fund; and
- 17           (iii) \$7.40 to the highway distribution account;
- 18       (k) Duplicate driver's license or permit .....\$20.00
- 19           (i) \$10.00 to the current expense fund;
- 20           (ii) \$2.60 to the driver training fund; and
- 21           (iii) \$7.40 to the highway distribution account;
- 22       (l) Driver's license extension .....\$10.00
- 23           (i) \$2.60 to the driver training account; and
- 24           (ii) \$7.40 to the state highway account;
- 25       (m) License classification change (upgrade) .....\$30.00
- 26           (i) \$10.00 to the current expense fund; and
- 27           (ii) \$20.00 to the state highway account;
- 28       (n) Endorsement addition .....\$20.00
- 29           (i) \$10.00 to the current expense fund; and
- 30           (ii) \$10.00 to the state highway account;
- 31       (o) Class A, B, C skills tests ..... not more than \$200.00
- 32           (i) \$10.00 to the state highway account; and
- 33           (ii) Remainder retained by entity administering the test;
- 34       (p) Class D skills test ..... not more than \$35.00
- 35           (i) \$6.50 to the state highway account; and
- 36           (ii) Remainder retained by entity administering the test;
- 37       (q) Motorcycle endorsement skills test (amount charged retained by  
38       entity administering the test) ..... not more than \$25.00;
- 39       (r) Knowledge test (fee retained by the entity administering  
40       the test) .....\$5.00;
- 41       (s) Seasonal driver's license .....\$44.00
- 42           (i) \$10.00 to the current expense fund;
- 43           (ii) \$2.00 to the emergency medical services fund ~~II~~ established  
44           in section 57-829, Idaho Code;
- 45           (iii) \$4.00 to the emergency medical services vehicle and equip-  
46           ment grant fund ~~III~~ established in section 57-830, Idaho Code; and
- 47           (iv) \$28.00 to the state highway account;
- 48       (t) Onetime motorcycle "M" endorsement .....\$15.00
- 49           (i) \$2.50 to the current expense fund; and
- 50           (ii) \$12.50 to the state highway account;

1 (u) Motorcycle endorsement instruction permit .....\$15.00

2 (i) \$2.50 to the current expense fund; and

3 (ii) \$12.50 to the state highway account;

4 (v) Restricted driving permit or restricted school attendance

5 driving permit (fee to the state highway account) .....\$60.00.

6 (3) The fee for any electronic driver's license renewal allowed pur-  
7 suant to section 49-319(10), Idaho Code, shall be five dollars (\$5.00) less  
8 than the applicable application fee prescribed in subsection (2) of this  
9 section. This fee reduction shall be accounted for by subtracting five dol-  
10 lars (\$5.00) from the portion of fees retained by the department.

11 (4) A person who applies for a driver's license or a driver's license  
12 renewal may designate a voluntary contribution of two dollars (\$2.00) for  
13 the purpose of promoting and supporting organ donation. Such a contribution  
14 shall be treated as a voluntary contribution to the organ donation contribu-  
15 tion fund created in section 49-2447, Idaho Code, and not as a driver's li-  
16 cense fee. Each voluntary contribution shall be deposited into the organ do-  
17 nation contribution fund created in section 49-2447, Idaho Code.

18 (5) Every application shall state the applicant's true and full name,  
19 date of birth, sex, declaration of Idaho residency, Idaho residence address  
20 and mailing address if different, height, weight, hair color, eye color, and  
21 social security number as verified by the social security administration.  
22 If an applicant has submitted an application pursuant to the provisions of  
23 chapter 58, title 19, Idaho Code, then the applicant may state, in his or  
24 her application pursuant to this section, the applicant's alternative Idaho  
25 mailing address in place of his or her Idaho residence address and mail-  
26 ing address. Notwithstanding the provisions of section 49-303(13), Idaho  
27 Code, an applicant for a nondomiciled class A, B or C driver's license or  
28 nondomiciled commercial learner's permit having residency in a state that  
29 is prohibited from issuing class A, B or C driver's licenses or commercial  
30 learner's permits, as provided in 49 CFR 384, is excepted from providing  
31 proof of Idaho residency and an Idaho mailing address.

32 (a) The requirement that an applicant provide a social security number  
33 as verified by the social security administration shall apply only to  
34 applicants who have been assigned a social security number.

35 (b) An applicant who has not been assigned a social security number  
36 shall:

37 (i) Present written verification from the social security admin-  
38 istration that the applicant has not been assigned a social secu-  
39 rity number; and

40 (ii) Submit a birth certificate, passport or other documentary  
41 evidence issued by an entity other than a state or the United  
42 States; and

43 (iii) Submit such proof as the department may require that the ap-  
44 plicant is lawfully present in the United States.

45 A driver's license, commercial learner's permit or any instruction  
46 permit issued on and after January 1, 1993, shall not contain an appli-  
47 cant's social security number. Applications on file shall be exempt  
48 from disclosure except as provided in sections 49-202, 49-203, 49-203A  
49 and 49-204, Idaho Code.

1 (c) Every application for a class A, B or C license shall state where the  
 2 applicant has been licensed for the preceding ten (10) years and under  
 3 which of the following driving categories the applicant will operate:

4 (i) Non-excepted interstate. The applicant operates or expects  
 5 to operate in interstate commerce and is required to provide a med-  
 6 ical examiner's certificate;

7 (ii) Excepted interstate. The applicant operates or expects to  
 8 operate in interstate commerce, but engages exclusively in trans-  
 9 portation or operations excepted by the federal motor carrier  
 10 safety administration from all or parts of the qualification re-  
 11 quirements of federal motor carrier safety regulation 49, part  
 12 391, and is therefore not required to provide a medical examiner's  
 13 certificate;

14 (iii) Non-excepted intrastate. The applicant operates only in  
 15 intrastate commerce and is subject to and meets all Idaho driver  
 16 qualification requirements and the applicable parts of federal  
 17 motor carrier safety regulation 49, part 391, and is required to  
 18 provide a medical examiner's certificate; or

19 (iv) Excepted intrastate. The applicant operates in intrastate  
 20 commerce, but engages exclusively in exempted transportation or  
 21 operations as listed in section 67-2901B(2), Idaho Code, and the  
 22 applicable parts of federal motor carrier safety regulation 49,  
 23 part 391, and is therefore not required to provide a medical exam-  
 24 iner's certificate.

25 All applications shall also state whether the applicant has previously  
 26 been licensed as a driver and, if so, when and by what state or country  
 27 and whether a driver's license or privileges have ever been suspended,  
 28 revoked, denied, disqualified, canceled or refused and, if so, the  
 29 date of and reason for the suspension, revocation, denial, disquali-  
 30 fication, cancellation or refusal and the applicant's oath that all  
 31 information is correct as signified by the applicant's signature.

32 (d) The applicant must submit proof of identity and citizenship sta-  
 33 tus acceptable to the examiner or the department and date of birth as  
 34 set forth in a certified copy of his birth certificate. When a certified  
 35 copy of his birth certificate or a delayed birth certificate is impossi-  
 36 ble to obtain from a vital statistics agency, another government-issued  
 37 document may be submitted that provides satisfactory evidence of a per-  
 38 son's full legal name and date of birth acceptable to the examiner or the  
 39 department.

40 (e) Every applicant for a class A, B or C driver's license or commer-  
 41 cial learner's permit shall provide proof of United States citizenship  
 42 or lawful permanent residency in the United States upon application for  
 43 issuance, transfer, upgrade or renewal, unless the applicant's driving  
 44 record already contains documentation confirming United States citi-  
 45 zenship or lawful permanent residency. Every applicant for a nondomi-  
 46 ciled class A, B or C driver's license or commercial learner's permit  
 47 domiciled in a foreign country must provide an unexpired employment au-  
 48 thorization document issued by the department of homeland security or  
 49 an unexpired foreign passport accompanied by an approved I-94 form doc-  
 50 umenting the applicant's most recent admittance into the United States.

(f) Individuals required to register in compliance with section 3 of the federal military selective service act, 50 U.S.C. App. 451 et seq., as amended, shall be provided an opportunity to fulfill such registration requirements in conjunction with an application for a driver's license, commercial learner's permit or instruction permit. Any registration information so supplied shall be transmitted by the department to the selective service system.

(6) Whenever an application is received from a person previously licensed in another jurisdiction, the department shall request a copy of the driver's record from the other jurisdiction and shall contact the national driver register. When received, the driver's record from the previous jurisdiction shall become a part of the driver's record in this state with the same force and effect as though entered on the driver's record in this state in the original instance.

(7) Whenever the department receives a request for a driver's record from another licensing jurisdiction, the record shall be forwarded without charge.

(8) The department shall contact and notify the commercial driver license information system of the proposed application for a class A, B or C driver's license or commercial learner's permit to ensure identification of the person and to obtain clearance to issue the license.

(9) The department shall request information from the drug and alcohol clearinghouse to determine whether an applicant for any class A, B, or C driver's license or commercial learner's permit is eligible for the credential.

(10) A contractor administering a class A, B, or C skills test may collect an additional fee for the use of the contractor's vehicle for the skills test.

(11) The department may issue seasonal class B or C driver's licenses to drivers who are employees of agri-chemical businesses, custom harvesters, farm retail outlets and suppliers, and livestock feeders that:

(a) Will be valid only for driving commercial vehicles that normally require class B or C commercial driver's licenses;

(b) Will be valid for seasonal periods that begin on the date of issuance and that are not to exceed one hundred eighty (180) days in a twelve (12) month period;

(c) May be obtained only twice in a driver's lifetime;

(d) Are valid only within a one-hundred-fifty (150) mile radius of the place of business or farm being serviced; and

(e) Will be valid only in conjunction with valid Idaho class D driver's licenses.

(12) The department may issue seasonal class B or C driver's licenses to drivers who:

(a) Have not violated the single license provisions of applicable federal regulations;

(b) Have not had any license suspensions, revocations or cancellations;

(c) Have not had any convictions in any vehicle for any offense listed in section 49-335(1) or (2), Idaho Code, or any one (1) serious traffic offense;

- 1 (d) Have at least one (1) year of driving experience with a class D or  
 2 equivalent license in any type of motor vehicle; and  
 3 (e) Are at least sixteen (16) years old.

4 SECTION 30. That Section 49-452, Idaho Code, be, and the same is hereby  
 5 amended to read as follows:

6 49-452. EMERGENCY MEDICAL SERVICES FEE. (1) An emergency medical ser-  
 7 vices fee of one dollar and twenty-five cents (\$1.25) shall be collected in  
 8 addition to each motor vehicle registration fee amount collected under the  
 9 provisions of this chapter, with the exception of those vehicles proportion-  
 10 ally registered under section 49-435, Idaho Code. Twenty-five cents (25¢)  
 11 of the fee shall be retained by the county of residence for use in funding lo-  
 12 cal emergency medical service costs. One dollar (\$1.00) of the fee shall be  
 13 transmitted to the state treasurer for deposit in the emergency medical ser-  
 14 vices fund established in section ~~56-1018~~ 57-829, Idaho Code.

15 (2) For vehicles registered under the provisions of section 49-402B,  
 16 Idaho Code, the fee shall be two dollars and fifty cents (\$2.50). Fifty cents  
 17 (50¢) of the fee shall be retained by the county of residence for use in fund-  
 18 ing local emergency medical services costs. Two dollars (\$2.00) of the fee  
 19 shall be transmitted to the state treasurer for deposit in the emergency med-  
 20 ical services fund established in section ~~56-1018~~ 57-829, Idaho Code.

21 SECTION 31. That Section 49-910A, Idaho Code, be, and the same is hereby  
 22 amended to read as follows:

23 49-910A. COLOR OF LAMPS AND GLOBES LIMITED TO CERTAIN VEHICLE  
 24 CLASSES. For the purposes of this chapter lighting devices utilizing various  
 25 colors of lighted globes approved by the director of the Idaho state police  
 26 for use on vehicles shall be restricted to the following class of vehicles:

27 (1) Police vehicles. Only police vehicles shall display blue lights,  
 28 lenses or globes.

29 (2) Designated emergency vehicles. Fire fighting vehicles, vehicles  
 30 belonging to personnel of voluntary fire departments, vehicles belonging  
 31 to, or operated by EMS personnel certified or otherwise recognized by the EMS  
 32 ~~bureau of the Idaho department of health and welfare~~ Idaho military division  
 33 while in the performance of emergency medical services, ambulances, sher-  
 34 iff's search and rescue vehicles which are under the immediate supervision  
 35 of the county sheriff, and wreckers, as defined in section 49-124, Idaho  
 36 Code, which are engaged in motor vehicle recovery operations and are block-  
 37 ing part or all of one or more lanes of traffic, are designated emergency  
 38 vehicles. With the exception of school buses as provided in section 49-915,  
 39 Idaho Code, only fire fighting vehicles, vehicles belonging to personnel  
 40 of voluntary fire departments, vehicles belonging to, or operated by EMS  
 41 personnel certified or otherwise recognized by the ~~EMS bureau of the Idaho~~  
 42 ~~department of health and welfare~~ Idaho military division while in the per-  
 43 formance of emergency medical services, ambulances, designated emergency  
 44 vehicles described herein, vehicles authorized by the Idaho transportation  
 45 board for use in the enforcement of vehicle laws specified in section 40-510,  
 46 Idaho Code, and other emergency vehicles designated by the director of the



1 Idaho state police may display red flashing lights or red lenses or globes  
2 which are visible from the front of the vehicle.

3 (3) All vehicles. Any motor vehicle may have attached to it a flash-  
4 ing amber light to warn motorists of a vehicular traffic hazard requiring  
5 the exercise of unusual care in approaching, overtaking or passing the ve-  
6 hicle displaying such lighting. The driver of an approaching vehicle shall  
7 yield the right-of-way to any stationary vehicle displaying a flashing amber  
8 light.

9 SECTION 32. That Section 56-1003, Idaho Code, be, and the same is hereby  
10 amended to read as follows:

11 56-1003. POWERS AND DUTIES OF THE DIRECTOR. The director shall have  
12 the following powers and duties:

13 (1) All of the powers and duties of the department of public health, the  
14 department of health, the board of health, and all nonenvironmental protec-  
15 tion duties of the department of health and welfare are hereby vested to the  
16 director of the department of health and welfare. However, oversight of the  
17 department and rulemaking and hearing functions relating to public health  
18 and licensure and certification standards shall be vested in the board of  
19 health and welfare. Except when the authority is vested in the board of  
20 health and welfare under law, the director shall have all such powers and  
21 duties as may have been or could have been exercised by his predecessors in  
22 law, including the authority to adopt, promulgate, and enforce rules, and  
23 shall be the successor in law to all contractual obligations entered into by  
24 predecessors in law. All rulemaking proceedings and hearings of the direc-  
25 tor shall be governed by the provisions of chapter 52, title 67, Idaho Code.

26 (2) The director shall, pursuant and subject to the provisions of Idaho  
27 Code and this chapter, promulgate and recommend to the board rules to admin-  
28 ister statutes related to health and licensure and certification require-  
29 ments pertinent to health. Such rules may be of general application across  
30 the state or may be limited in time, place, and circumstance as needed to ad-  
31 dress problems.

32 (3) The director, under rules adopted by the board, shall have general  
33 supervision of the health and welfare of the people of this state. The powers  
34 and duties of the director shall include but are not limited to the follow-  
35 ing:

36 (a) The education of the people of this state using guidelines and rec-  
37 ommendations for issues of health, safety, mental health, and wellness;

38 (b) The issuance of licenses and permits as prescribed by law and by the  
39 rules of the board;

40 (c) The supervision and administration of laboratories and the super-  
41 vision and administration of standards of tests for environmental pol-  
42 lution, chemical analyses and communicable diseases. The director may  
43 require that laboratories operated by any city, county, institution,  
44 person, firm or corporation for health or environmental purposes con-  
45 form to standards set by the board of health and welfare and the board of  
46 environmental quality in rule;

47 (d) The supervision and administration of a mental health program,  
48 which shall include services for the evaluation, screening, custody and

1 treatment of the mentally ill and those persons suffering from a mental  
2 defect or mental defects, and services for the prevention of suicide;

3 (e) The enforcement of minimum standards of health, safety, and sani-  
4 tation for all public swimming pools within the state as established in  
5 rule of the board;

6 (f) The supervision and administration of the various schools, hos-  
7 pitals, and institutions that were the responsibility of the board of  
8 health and welfare;

9 (g) The supervision and administration of services dealing with sub-  
10 stance abuse, including but not limited to treatment and rehabilita-  
11 tion;

12 (h) Communication and cooperation with other governmental depart-  
13 ments, agencies and boards in order to effectively assist with the  
14 planning for the control of or abatement of health problems. All of the  
15 rules adopted by the board shall apply to state institutions;

16 ~~(i) The supervision and administration of an emergency medical ser-~~  
17 ~~vices program, including but not limited to assisting other governmen-~~  
18 ~~tal agencies and local governmental units, in providing first aid emer-~~  
19 ~~gency medical services and for transportation of the sick and injured;~~

20 ~~(j)~~ (i) The supervision of administrative units whose responsibility  
21 shall be to assist and encourage counties, cities, other governmental  
22 units, and industries in the control of and/or abatement of health prob-  
23 lems; and

24 ~~(k)~~ (j) The enforcement of all laws and rules relating to health.

25 (4) The director, when so designated by the governor, and any other time  
26 subject to the standard appropriations and approval process of the legisla-  
27 ture, shall have the power to apply for, receive on behalf of the state, and  
28 utilize any federal aid, grants, gifts, or moneys made available through the  
29 federal government.

30 (5) The director shall have the power to enter into and make contracts  
31 and agreements with any public agencies or municipal corporations for the  
32 use of facilities, land, and equipment when such use will have a beneficial,  
33 recreational, or therapeutic effect or be in the best interest in carrying  
34 out the duties imposed upon the department. The director shall also have the  
35 power to enter into contracts for the expenditure of state matching funds for  
36 local purposes. This subsection will constitute the authority for public  
37 agencies or municipal corporations to enter into such contracts and expend  
38 money for the purposes delineated in such contracts.

39 (6) The director is authorized to adopt an official seal to be used on  
40 appropriate occasions, in connection with the functions of the department or  
41 the board, and such seal shall be judicially noticed. Copies of any books,  
42 records, papers and other documents in the department shall be admitted in  
43 evidence equally with the originals thereof when authenticated under such  
44 seal.

45 (7) The director, under rules adopted by the board of health and welfare  
46 and approved by the legislature pursuant to section 67-5291, Idaho Code,  
47 and section 29, article III of the constitution of the state of Idaho, shall  
48 have the power to impose and enforce orders of isolation, quarantine, or  
49 restricted access to protect the public from the spread of infectious or  
50 communicable diseases or from contamination from chemical, nuclear, or bi-

1 ological agents, whether naturally occurring or propagated by criminal or  
2 terrorist act.

3 (a) An order of isolation may be issued only for a person diagnosed with  
4 an infectious or a communicable disease, presenting medically unknown  
5 symptoms, or contaminated from a chemical, nuclear, or biological agent  
6 and only while a person is infectious, displaying unknown symptoms, or  
7 contaminated.

8 (b) An order of quarantine may be issued only for a person exposed to:

9 (i) An infectious or a communicable disease;

10 (ii) A person displaying medically unknown symptoms; or

11 (iii) Contamination from a chemical, nuclear, or biological  
12 agent;

13 under circumstances likely to result in the spread of the disease, symp-  
14 toms, or contaminant to the person who had such contact and only for a  
15 reasonable period of time sufficient to determine whether the exposed  
16 person will become sick.

17 (c) If the director has reasonable cause to believe a chemical, nu-  
18 clear, or biological agent has been released in an identifiable place,  
19 including a building or structure, the director may impose an order of  
20 restricted access into or out of that place for the purpose of determin-  
21 ing whether that place has been contaminated with a chemical, nuclear,  
22 or biological agent that may create a substantial and immediate danger  
23 to the public. An order of restricted access shall be effective only  
24 until such time as the contamination has been remediated and the area  
25 of restricted access has been determined to no longer pose an immediate  
26 health risk.

27 (d) An order of isolation, quarantine, or restricted access issued pur-  
28 suant to this section shall not be subject to the Idaho administrative  
29 procedure act, chapter 52, title 67, Idaho Code, but shall be subject to  
30 judicial review as a final agency order. However, this shall not pre-  
31 vent the director from reconsidering, amending, or withdrawing the or-  
32 der. Judicial review of orders of isolation, quarantine, or restricted  
33 access shall be de novo. The court may affirm, reverse, or modify the  
34 order and shall affirm the order if the director shows by clear and con-  
35 vincing evidence that the order is reasonably necessary to protect the  
36 public from a substantial and immediate danger of the spread of an in-  
37 fectious or communicable disease or from contamination by a chemical,  
38 nuclear, or biological agent. A hearing on a request for review pur-  
39 suant to this paragraph shall be held as soon as practicable but no later  
40 than three (3) business days after the request is made. Notice of the  
41 request for review to the court must be provided to the director. The  
42 court may order the person who is the subject of or affected by the or-  
43 der of isolation, quarantine, or restricted access to appear remotely  
44 via technology approved by the Idaho supreme court. Upon conclusion of  
45 a hearing described in this subsection, the court conducting judicial  
46 review shall issue an order:

47 (i) Affirming or modifying the order of isolation, quarantine, or  
48 restricted access; or

49 (ii) Reversing the order and releasing an individual who is the  
50 subject of or affected by such order.

(e) Any person who violates an order of isolation, quarantine, or restricted access shall be guilty of a misdemeanor.

(8) The director shall develop safeguards necessary to ensure the security of nonpublic personal information in the department's possession and to prevent undue disclosure of such information. The director shall establish a process to authenticate requests made by a person, entity or jurisdiction arising under the 2007 Hague convention on the international recovery of child support and other forms of family maintenance. In the event the department becomes aware of any improper disclosure, the director shall take all actions required under section 28-51-105, Idaho Code.

SECTION 33. That Section 63-36220, Idaho Code, be, and the same is hereby amended to read as follows:

63-36220. EXEMPT PRIVATE AND PUBLIC ORGANIZATIONS. (1) There are exempted from the taxes imposed by this chapter:

(a) Sales to or purchases by hospitals, health-related entities, educational institutions, forest protective associations and canal companies that are nonprofit organizations; and

(b) Donations to, sales to, and purchases by the Idaho Foodbank Warehouse, Inc.; and

(c) Donations to, sales to, and purchases by food banks or soup kitchens of food or other tangible personal property used by food banks or soup kitchens in the growing, storage, preparation or service of food, but not including motor vehicles or trailers; and

(d) Sales of clothes to, donations of clothes to, and purchases of clothes by nonsale clothiers; and

(e) Sales to or purchases by centers for independent living; and

(f) Sales to or purchases by the state of Idaho and its agencies and its political subdivisions; and

(g) Sales to or purchases by volunteer fire departments or licensed emergency medical service agencies; and

(h) Sales to or purchases by a qualifying senior citizen center; and

(i) Sales to or purchases by the Blind Services Foundation, Inc.; and

(j) Donations to, sales to or purchases by the Advocates for Survivors of Domestic Violence and Sexual Assault, Inc., a nonprofit corporation; and

(k) Sales to or purchases by nonprofit organizations offering free dental clinic services to children; and

(l) Admissions to and purchases by museums, as defined in subsection (2) of this section.

(2) As used in this section, these words shall have the following meanings:

(a) "Educational institution" shall mean nonprofit colleges, universities, public charter schools organized pursuant to chapter 52, title 33, Idaho Code, the Idaho digital learning academy established pursuant to chapter 55, title 33, Idaho Code, and other primary and secondary schools, the income of which is devoted solely to education and in which systematic instruction in the usual branches of learning is given. This definition does not include schools primarily teaching business, dancing, dramatics, music, cosmetology, writing, gymnastics, exercise and

1 other special accomplishments nor parent-teacher associations, parent  
2 groups, alumni or other auxiliary organizations with purposes related  
3 to the educational function of an institution or collective group of in-  
4 stitutions.

5 (b) "Hospital" shall include nonprofit institutions licensed by the  
6 state for the care of ill persons. It shall not extend to nursing homes  
7 or similar institutions.

8 (c) "Health-related entities" shall mean the Idaho Cystic Fibrosis  
9 Foundation, Idaho Epilepsy League, Idaho Lung Association, March of  
10 Dimes, American Cancer Society, Camp Rainbow Gold, Mental Health As-  
11 sociation, The Arc, The Children's Home Society of Idaho, American  
12 Heart Association, Idaho Ronald McDonald House, United Cerebral Palsy,  
13 Arthritis Foundation, Muscular Dystrophy Foundation, National Mul-  
14 tiple Sclerosis Society, Rocky Mountain Kidney Association, American  
15 Diabetes Association, Easter Seals, Idaho Community Action Agencies,  
16 Idaho Primary Care Association and community health centers that are  
17 members of the Idaho Primary Care Association, the Idaho Association of  
18 Free and Charitable Clinics and its member clinics, the Idaho Diabetes  
19 Youth Programs, Special Olympics Idaho, the Idaho Women's and Chil-  
20 dren's Alliance, and the Family Services Alliance of Southeast Idaho,  
21 together with said entities' local or regional chapters or divisions.

22 (d) "Canal companies" shall include nonprofit corporations that are  
23 incorporated solely for the purpose of operating and maintaining and  
24 are engaged solely in operation and maintenance of dams, reservoirs,  
25 canals, lateral and drainage ditches, pumps or pumping plants.

26 (e) "Forest protective associations" shall mean associations whose  
27 purpose is the furnishing, operating and maintaining of a protective  
28 system for the detection, prevention and suppression of forest or range  
29 fires. Forest protective associations shall include only those associ-  
30 ations with which the state of Idaho has contracted or become a member of  
31 pursuant to chapter 1, title 38, Idaho Code.

32 (f) "Food banks or soup kitchens" shall mean any nonprofit corporation  
33 or association, other than the Idaho Foodbank Warehouse, Inc., one of  
34 whose regular activities is the furnishing or providing of food or food  
35 products to others without charge.

36 (g) "Nonsale clothier" shall mean any nonprofit corporation or associ-  
37 ation, one of whose primary purposes is the furnishing or providing of  
38 clothes to others without charge.

39 (h) "Clothes" shall mean garments in general, designed or intended to  
40 be worn by humans, and shall include footwear in addition to wearing ap-  
41 parel.

42 (i) "Center for independent living" shall mean a private, nonprofit,  
43 nonresidential organization in which at least fifty-one percent (51%)  
44 of the principal governing board, management and staff are individuals  
45 with disabilities and that:

46 (i) Is designed and operated within a local community by individ-  
47 uals with disabilities;

48 (ii) Provides an array of independent living services and pro-  
49 grams; and

50 (iii) Is cross-disability.

1 (j) "Political subdivision" means:

2 (i) A governmental organization that:

- 3 1. Embraces a certain territory,
- 4 2. Is organized for public advantage and not in the interest
- 5 of private individuals or classes,
- 6 3. Has been delegated functions of government, and
- 7 4. Has the statutory power to levy taxes; or

8 (ii) A public health district created by section 39-408, Idaho  
9 Code; or

10 (iii) A soil conservation district as defined in section 22-2717,  
11 Idaho Code; or

12 (iv) A drainage district created pursuant to chapter 29, title  
13 42, Idaho Code; or

14 (v) An irrigation district created pursuant to title 43, Idaho  
15 Code; or

16 (vi) A state grazing board created by section 57-1204, Idaho  
17 Code; or

18 (vii) A water measurement district created pursuant to section  
19 42-705 or 42-706, Idaho Code; or

20 (viii) A ground water management district created pursuant to  
21 chapter 51, title 42, Idaho Code.

22 (k) "Agency of the state of Idaho" shall mean an office or organization  
23 created by the constitution or statutes of this state and constituting a  
24 component part of the executive, judicial or legislative branch of the  
25 government of this state.

26 (l) "Volunteer fire department" means an entity exempt from federal  
27 income taxation pursuant to section 501(c)(3) of the Internal Revenue  
28 Code and which primarily provides fire protection or fire prevention on  
29 a not-for-profit basis to surrounding residents.

30 (m) "Licensed emergency medical service agency" means an emergency  
31 medical service (EMS) licensed by the ~~EMS bureau of the department of~~  
32 ~~health and welfare~~ Idaho military division and which is exempt from  
33 federal income taxation pursuant to section 501(c)(3) of the Inter-  
34 nal Revenue Code and which provides emergency medical services on a  
35 not-for-profit basis to surrounding residents.

36 (n) "Qualifying senior citizen center" means an entity exempt from in-  
37 come tax pursuant to section 501(c)(3) of the Internal Revenue Code and  
38 which is a community facility for the organization and provision of a  
39 broad spectrum of services, which shall include provision of health,  
40 including mental health, social, nutritional, and educational services  
41 and the provision of facilities for recreational activities for older  
42 individuals.

43 (o) "Museum" means a public institution or an entity exempt from income  
44 tax pursuant to section 501(c)(3) of the Internal Revenue Code, which  
45 stores, preserves and exhibits objects of art, history, science or  
46 other objects of historical, educational or cultural value on a perma-  
47 nent basis in a building, portion of a building or outdoor location and  
48 which provides museum services to the public on a regular basis.

49 (3) The exemption granted by subsection (1) (f) of this section does not  
50 include any association or other organization whose members are political

1 subdivisions or state agencies unless the organization is expressly created  
2 under the joint powers provision of sections 67-2328 through 67-2333, Idaho  
3 Code.

4 (4) The exemptions granted by subsection (1) of this section do not in-  
5 clude the use of tangible personal property by a contractor used to improve  
6 real property of an exempt entity when such use is within the definition pro-  
7 vided by section 63-3615(b), Idaho Code, whether the use tax liability is in-  
8 cluded in a contract total or stated separately in a contract.

9 (5) There is exempted from the taxes imposed in this chapter the renting  
10 of a place to sleep to an individual by the Idaho Ronald McDonald House.

11 SECTION 34. That Section 67-8802, Idaho Code, be, and the same is hereby  
12 amended to read as follows:

13 67-8802. IDAHO LAW ENFORCEMENT, FIREFIGHTING AND EMS MEDAL OF HONOR  
14 COMMISSION CREATED -- MEMBERSHIP -- ESTABLISHMENT OF QUALIFICATIONS FOR  
15 AWARD. (1) There is hereby created in the office of the governor the Idaho  
16 law enforcement, firefighting and EMS medal of honor commission, hereafter  
17 referred to as the commission, which shall nominate candidates for the award  
18 of the Idaho medal of honor. The commission shall consist of one (1) repre-  
19 sentative from each of the following: the office of the governor, the office  
20 of the attorney general, the Idaho prosecuting attorneys association, the  
21 Idaho chiefs of police association, the Idaho fire chiefs association, the  
22 Idaho sheriffs' association, the Idaho peace officers association, the  
23 ~~Idaho department of health and welfare bureau of emergency medical services~~  
24 ~~military division~~, the peace officers standards and training council, and  
25 the professional firefighters of Idaho. Members of the commission shall be  
26 appointed by the governor and shall each serve for a term of four (4) years.  
27 Members of the commission shall hold office until the latter of expiration  
28 of the term to which the member was appointed or his successor has been duly  
29 appointed and qualified.

30 (2) The attorney general or his designee shall serve as chair of the  
31 commission and shall designate a secretary for the commission.

32 (3) The commission shall meet annually, or at the call of the chair, to  
33 consider candidates for nomination. Commission meetings may be conducted  
34 via teleconference.

35 (4) The commission may adopt such rules as it deems necessary to carry  
36 out the purposes of this chapter.

37 SECTION 35. That Section 67-8806, Idaho Code, be, and the same is hereby  
38 amended to read as follows:

39 67-8806. DEFINITIONS. As used in this chapter:

40 (1) "EMS" means emergency medical services.

41 (2) "Emergency medical services provider" or "EMS provider" means an  
42 emergency medical technician, advanced emergency medical technician, or  
43 paramedic licensed by the ~~department of health and welfare pursuant to sec-~~  
44 ~~tions 56-1011 through 56-1018B,~~ Idaho military division pursuant to chapter  
45 9, title 46, Idaho Code, and an ambulance-based clinician ~~as defined in the~~  
46 ~~rules governing emergency medical services as adopted by the department of~~  
47 ~~health and welfare~~ certified pursuant to chapter 9, title 46, Idaho Code.

1 (3) "Exceptional meritorious conduct" means an act of bravery and self-  
 2 sacrifice, at the risk of serious injury or loss of one's own life, which is  
 3 so conspicuous as to clearly distinguish the individual above his comrades.

4 (4) "Firefighter" means a volunteer member or paid employee whose pri-  
 5 mary duty is preventing, extinguishing, or investigating fires and who pre-  
 6 vents, extinguishes, or investigates fires as part of a fire district, fire  
 7 department, or agency that is a part of or administered by the state or any  
 8 political subdivision thereof.

9 (5) "Law enforcement officer" means a volunteer member or a paid em-  
 10 ployee of a police or law enforcement agency that is a part of or administered  
 11 by the state, a federally recognized Indian tribe, or any political subdi-  
 12 vision of the state whose primary duties are the prevention and detection of  
 13 crime and the enforcement of the laws of this state or any of its political  
 14 subdivisions.

15 (6) "Serious injury" means any injury that causes great bodily harm and  
 16 a probability of death, any injury that causes significant permanent disfig-  
 17 urement, or any injury that causes a significant permanent loss or impair-  
 18 ment of the function of any body part or organ.

19 SECTION 36. That Section 72-451, Idaho Code, be, and the same is hereby  
 20 amended to read as follows:

21 72-451. PSYCHOLOGICAL ACCIDENTS AND INJURIES. (1) Psychological in-  
 22 juries, disorders or conditions shall not be compensated under this title,  
 23 unless the following conditions are met:

24 (a) Such injuries of any kind or nature emanating from the workplace  
 25 shall be compensated only if caused by accident and physical injury  
 26 as defined in section 72-102(17) (a) through (17) (c), Idaho Code, or  
 27 only if accompanying an occupational disease with resultant physical  
 28 injury, except that a psychological mishap or event may constitute an  
 29 accident where:

30 (i) It results in resultant physical injury as long as the psycho-  
 31 logical mishap or event meets the other criteria of this section;

32 (ii) It is readily recognized and identifiable as having occurred  
 33 in the workplace; and

34 (iii) It must be the product of a sudden and extraordinary event;

35 (b) No compensation shall be paid for such injuries arising from con-  
 36 ditions generally inherent in every working situation or from a person-  
 37 nel-related action including, but not limited to, disciplinary action,  
 38 changes in duty, job evaluation or employment termination;

39 (c) Such accident and injury must be the predominant cause as compared  
 40 to all other causes combined of any consequence for which benefits are  
 41 claimed under this section;

42 (d) Where psychological causes or injuries are recognized by this sec-  
 43 tion, such causes or injuries must exist in a real and objective sense;

44 (e) Any permanent impairment or permanent disability for psychologi-  
 45 cal injury recognizable under the Idaho worker's compensation law must  
 46 be based on a condition sufficient to constitute a diagnosis using the  
 47 terminology and criteria of the American psychiatric association's di-  
 48 agnostic and statistical manual of mental disorders, third edition re-  
 49 vised, or any successor manual promulgated by the American psychiatric



1 association, and must be made by a psychologist or psychiatrist duly li-  
 2 censed to practice in the jurisdiction in which treatment is rendered;  
 3 and

4 (f) Clear and convincing evidence that the psychological injuries  
 5 arose out of and in the course of the employment from an accident or oc-  
 6 cupational disease as contemplated in this section is required.

7 (2) Nothing in subsection (1) of this section shall be construed as  
 8 allowing compensation for psychological injuries from psychological causes  
 9 without accompanying physical injury.

10 (3) The provisions of subsection (1) of this section shall apply to ac-  
 11 cidents and injuries occurring on or after July 1, 1994, and to causes of ac-  
 12 tion for benefits accruing on or after July 1, 1994, notwithstanding that  
 13 the original worker's compensation claim may have occurred prior to July 1,  
 14 1994.

15 (4) Notwithstanding subsection (1) of this section, post-traumatic  
 16 stress injury suffered by a first responder is a compensable injury or occu-  
 17 pational disease when the following conditions are met:

18 (a) The first responder is examined and subsequently diagnosed with  
 19 post-traumatic stress injury by a psychologist, a psychiatrist duly li-  
 20 censed to practice in the jurisdiction where treatment is rendered, or a  
 21 counselor trained in post-traumatic stress injury; and

22 (b) Clear and convincing evidence indicates that the post-traumatic  
 23 stress injury was caused by an event or events arising out of and in the  
 24 course of the first responder's employment.

25 (5) No compensation shall be paid for such injuries described in sub-  
 26 section (2) of this section arising from a personnel-related action includ-  
 27 ing, but not limited to, disciplinary action, changes in duty, job evalua-  
 28 tion, or employment termination.

29 (6) As used in subsection (4) of this section:

30 (a) "Post-traumatic stress injury" means a disorder that meets the di-  
 31 agnostic criteria for post-traumatic stress disorder or post-traumatic  
 32 stress injury specified by the American psychiatric association's di-  
 33 agnostic and statistical manual of mental disorders, fifth edition re-  
 34 vised, or any successor manual promulgated by the American psychiatric  
 35 association.

36 (b) "First responder" means:

37 (i) A peace officer as defined in section 19-5101(d), Idaho Code,  
 38 when employed by a city, county, or the Idaho state police;

39 (ii) A firefighter as defined in section 59-1302(16), Idaho Code;

40 (iii) A volunteer emergency responder as defined in section  
 41 72-102(31), Idaho Code;

42 (iv) An emergency medical service services provider, ~~or EMS~~  
 43 ~~provider, certified by the department of health and welfare pur-~~  
 44 ~~suant to sections 56-1011 through 56-1018B, Idaho Code, and an~~  
 45 ~~ambulance-based clinician as defined in the rules governing emer-~~  
 46 ~~gency medical services as adopted by the department of health and~~  
 47 ~~welfare; and certified pursuant to chapter 9, title 46, Idaho~~  
 48 Code; and

49 (v) An emergency communications officer as defined in section  
 50 19-5101(f), Idaho Code.

1       (7) Subsections (4) through (6) of this section are effective for first  
2 responders with dates of injury or manifestations of occupational disease on  
3 or after July 1, 2019.

4       SECTION 37. That Section 74-106, Idaho Code, be, and the same is hereby  
5 amended to read as follows:

6       74-106. RECORDS EXEMPT FROM DISCLOSURE -- PERSONNEL RECORDS, PER-  
7 SONAL INFORMATION, HEALTH RECORDS, PROFESSIONAL DISCIPLINE. The following  
8 records are exempt from disclosure:

9       (1) Except as provided in this subsection, all personnel records of  
10 a current or former public official other than the public official's pub-  
11 lic service or employment history, classification, pay grade and step,  
12 longevity, gross salary and salary history, including bonuses, severance  
13 packages, other compensation or vouchered and unvouchered expenses for  
14 which reimbursement was paid, status, workplace and employing agency. All  
15 other personnel information relating to a public employee or applicant,  
16 including but not limited to information regarding sex, race, marital sta-  
17 tus, birth date, home address and telephone number, social security number,  
18 driver's license number, applications, testing and scoring materials,  
19 grievances, correspondence and performance evaluations, shall not be dis-  
20 closed to the public without the employee's or applicant's written consent.  
21 Names of applicants to classified or merit system positions shall not be dis-  
22 closed to the public without the applicant's written consent. Disclosure of  
23 names as part of a background check is permitted. Names of the five (5) final  
24 applicants to all other positions shall be available to the public. If such  
25 group is less than five (5) finalists, then the entire list of applicants  
26 shall be available to the public. A public official or authorized represen-  
27 tative may inspect and copy his personnel records, except for material used  
28 to screen and test for employment.

29       (2) Retired employees' and retired public officials' home addresses,  
30 home telephone numbers and other financial and nonfinancial membership  
31 records; and active and inactive member financial and membership records  
32 and mortgage portfolio loan documents maintained by the public employee re-  
33 tirement system. Financial statements prepared by retirement system staff,  
34 funding agents and custodians concerning the investment of assets of the  
35 public employee retirement system of Idaho are not considered confidential  
36 under this chapter.

37       (3) Information and records submitted to the Idaho state lottery for  
38 the performance of background investigations of employees, lottery retail-  
39 ers and major procurement contractors; audit records of lottery retailers,  
40 vendors and major procurement contractors submitted to or performed by the  
41 Idaho state lottery; validation and security tests of the state lottery for  
42 lottery games; and business records and information submitted pursuant to  
43 sections 67-7412(8) and (9) and 67-7421(8) and (9), Idaho Code, and such  
44 documents and information obtained and held for the purposes of lottery se-  
45 curity and investigative action as determined by lottery rules, unless the  
46 public interest in disclosure substantially outweighs the private need for  
47 protection from public disclosure.

48       (4) Records of a personal nature as follows:

49       (a) Records of personal debt filed with a public agency pursuant to law;

1 (b) Personal bank records compiled by a public depositor for the pur-  
2 pose of public funds transactions conducted pursuant to law;

3 (c) Records of ownership of financial obligations and instruments of a  
4 public agency, such as bonds, compiled by the public agency pursuant to  
5 law;

6 (d) Records with regard to the ownership of or security interests in  
7 registered public obligations;

8 (e) Vital statistics records;

9 (f) Military records as described in and pursuant to section 65-301,  
10 Idaho Code;

11 (g) Social security numbers; and

12 (h) The following personal data identifiers for an individual may be  
13 disclosed only in the following redacted format:

14 (i) The initials of any minor children of the individual;

15 (ii) A date of birth in substantially the following format:  
16 XX/XX/birth year;

17 (iii) The last four (4) digits of a financial account number in  
18 substantially the following format: XXXXX1234;

19 (iv) The last four (4) digits of a driver's license number or  
20 state-issued personal identification card number in substan-  
21 tially the following format: XXXXX350F; and

22 (v) The last four (4) digits of an employer identification number  
23 or business's taxpayer identification number.

24 (5) Information in an income or other tax return measured by items of  
25 income or sales that is gathered by a public agency for the purpose of admin-  
26 istering the tax, except such information to the extent disclosed in a writ-  
27 ten decision of the tax commission pursuant to a taxpayer protest of a defi-  
28 ciency determination by the tax commission, under the provisions of section  
29 63-3045B, Idaho Code.

30 (6) Records of a personal nature related directly or indirectly to the  
31 application for and provision of statutory services rendered to persons  
32 applying for public care for people who are elderly, indigent or have mental  
33 or physical disabilities or participation in an environmental or a public  
34 health study, provided the provisions of this subsection making records  
35 exempt from disclosure shall not apply to the extent that such records or  
36 information contained in those records are necessary for a background check  
37 on an individual that is required by federal law regulating the sale of  
38 firearms, guns or ammunition.

39 (7) Employment security information, except that a person may agree,  
40 through written, informed consent, to waive the exemption so that a third  
41 party may obtain information pertaining to the person, unless access to the  
42 information by the person is restricted by subsection (3)(a), (b) or (d)  
43 of section 74-113, Idaho Code. Notwithstanding the provisions of section  
44 74-113, Idaho Code, a person may not review identifying information con-  
45 cerning an informant who reported to the department of labor a suspected  
46 violation by the person of the employment security law, chapter 13, title 72,  
47 Idaho Code, under an assurance of confidentiality. As used in this section  
48 and in chapter 13, title 72, Idaho Code, "employment security information"  
49 means any information descriptive of an identifiable person or persons that  
50 is received by, recorded by, prepared by, furnished to or collected by the

1 department of labor or the industrial commission in the administration of  
2 the employment security law.

3 (8) Any personal records, other than names, business addresses and  
4 business phone numbers, such as parentage, race, religion, sex, height,  
5 weight, tax identification and social security numbers, financial worth or  
6 medical condition submitted to any public agency pursuant to a statutory  
7 requirement for licensing, certification, permit or bonding.

8 (9) Unless otherwise provided by agency rule, information obtained as  
9 part of an inquiry into a person's fitness to be granted or retain a license,  
10 certificate, permit, privilege, commission or position and private associ-  
11 ation peer review committee records authorized in title 54, Idaho Code. Any  
12 agency that has records exempt from disclosure under the provisions of this  
13 subsection shall annually make available a statistical summary of the number  
14 and types of matters considered and their disposition.

15 (10) The records, findings, determinations and decisions of any prelit-  
16 igation screening panel formed under chapters 10 and 23, title 6, Idaho Code.

17 (11) Complaints received by the board of medicine and investigations  
18 and informal proceedings, including informal proceedings of any committee  
19 of the board of medicine, pursuant to chapter 18, title 54, Idaho Code, and  
20 rules adopted thereunder.

21 (12) Records of the department of health and welfare or a public health  
22 district that identify a person infected with a reportable disease.

23 (13) Records of hospital care, medical records, including prescrip-  
24 tions, drug orders, records or any other prescription information that  
25 specifically identifies an individual patient, prescription records main-  
26 tained by the board of pharmacy under sections 37-2726 and 37-2730A, Idaho  
27 Code, records of psychiatric care or treatment and professional counseling  
28 records relating to an individual's condition, diagnosis, care or treat-  
29 ment, provided the provisions of this subsection making records exempt from  
30 disclosure shall not apply to the extent that such records or information  
31 contained in those records are necessary for a background check on an indi-  
32 vidual that is required by federal law regulating the sale of firearms, guns  
33 or ammunition.

34 (14) Information collected pursuant to the directory of new hires act,  
35 chapter 16, title 72, Idaho Code.

36 (15) Personal information contained in motor vehicle and driver records  
37 that is exempt from disclosure under the provisions of chapter 2, title 49,  
38 Idaho Code.

39 (16) Records of the financial status of prisoners pursuant to subsec-  
40 tion (2) of section 20-607, Idaho Code.

41 (17) Records of the Idaho state police or department of correction re-  
42 ceived or maintained pursuant to section 19-5514, Idaho Code, relating to  
43 DNA databases and databanks.

44 (18) Records of the department of health and welfare relating to a sur-  
45 vey, resurvey or complaint investigation of a licensed nursing facility.  
46 Such records shall, however, be subject to disclosure as public records as  
47 soon as the facility in question has received the report and no later than the  
48 fourteenth day following the date that department of health and welfare rep-  
49 resentatives officially exit the facility pursuant to federal regulations.  
50 Provided however, that for purposes of confidentiality, no record shall be

1 released under this section that specifically identifies any nursing facil-  
2 ity resident.

3 (19) Records and information contained in the registry of immunizations  
4 against childhood diseases maintained in the department of health and wel-  
5 fare, including information disseminated to others from the registry by the  
6 department of health and welfare.

7 (20) Records of the Idaho housing and finance association (IHFA) relat-  
8 ing to the following:

9 (a) Records containing personal financial, family, health or similar  
10 personal information submitted to or otherwise obtained by the IHFA;

11 (b) Records submitted to or otherwise obtained by the IHFA with regard  
12 to obtaining and servicing mortgage loans and all records relating to  
13 the review, approval or rejection by the IHFA of said loans;

14 (c) Mortgage portfolio loan documents;

15 (d) Records of a current or former employee other than the employee's  
16 duration of employment with the association, position held and loca-  
17 tion of employment. This exemption from disclosure does not include the  
18 contracts of employment or any remuneration, including reimbursement  
19 of expenses, of the executive director, executive officers or commis-  
20 sioners of the association. All other personnel information relating  
21 to an association employee or applicant, including but not limited to  
22 information regarding sex, race, marital status, birth date, home ad-  
23 dress and telephone number, applications, testing and scoring materi-  
24 als, grievances, correspondence, retirement plan information and per-  
25 formance evaluations, shall not be disclosed to the public without the  
26 employee's or applicant's written consent. An employee or authorized  
27 representative may inspect and copy that employee's personnel records,  
28 except for material used to screen and test for employment or material  
29 not subject to disclosure elsewhere in the Idaho public records act.

30 (21) Records of the department of health and welfare related to child  
31 support services in cases in which there is reasonable evidence of domestic  
32 violence, as defined in chapter 63, title 39, Idaho Code, that can be used  
33 to locate any individuals in the child support case except in response to a  
34 court order.

35 (22) Records of the Idaho state bar lawyer assistance program pursuant  
36 to chapter 49, title 54, Idaho Code, unless a participant in the program au-  
37 thorizes the release pursuant to subsection (4) of section 54-4901, Idaho  
38 Code.

39 (23) Records and information contained in the ~~time-sensitive emergency~~  
40 ~~registry created by chapter 20, title 57~~ time sensitive emergency registry  
41 created by chapter 9, title 46, Idaho Code, together with any reports, analy-  
42 ses and compilations created from such information and records.

43 (24) Records contained in the court files or other records prepared as  
44 part of proceedings for judicial authorization of sterilization procedures  
45 pursuant to chapter 39, title 39, Idaho Code.

46 (25) The physical voter registration application on file in the county  
47 clerk's office; however, a redacted copy of said application shall be made  
48 available consistent with the requirements of this section. Information  
49 from the voter registration application maintained in the statewide voter  
50 registration database, including age, will be made available except for

1 the voter's driver's license number, date of birth and, upon a showing that  
2 the voter comes within the provisions of subsection (30) of this section or  
3 upon showing of good cause by the voter to the county clerk in consultation  
4 with the county prosecuting attorney, the physical residence address of the  
5 voter. For the purposes of this subsection, good cause shall include the  
6 protection of life and property and protection of victims of domestic vio-  
7 lence and similar crimes.

8 (26) Information in the files of the health care directive registry  
9 maintained by the department of health and welfare under section 39-4515,  
10 Idaho Code, is confidential and shall not be disclosed to any person other  
11 than to the person who executed an advance care planning document or the re-  
12 vocation thereof and that person's surrogate decision-maker, to the person  
13 who registered an advance care planning document or revocation thereof, and  
14 to physicians, hospitals, medical personnel, nursing homes, and other per-  
15 sons who have been granted access to the documents in the registry.

16 (27) Records in an address confidentiality program participant's file  
17 as provided for in chapter 57, title 19, Idaho Code, other than the address  
18 designated by the secretary of state, except under the following circum-  
19 stances:

20 (a) If requested by a law enforcement agency, to the law enforcement  
21 agency; or

22 (b) If directed by a court order, to a person identified in the order.

23 (28) Except as otherwise provided by law relating to the release of in-  
24 formation to a governmental entity or law enforcement agency, any personal  
25 information, including but not limited to names, personal and business ad-  
26 dresses and phone numbers, sex, height, weight, date of birth, social secu-  
27 rity and driver's license numbers, or any other identifying numbers or in-  
28 formation related to any Idaho fish and game licenses, permits and tags un-  
29 less written consent is obtained from the affected person.

30 (29) Documents and records related to alternatives to discipline that  
31 are maintained by the Idaho board of veterinary medicine under the provi-  
32 sions of section 54-2118(1)(b), Idaho Code, provided the requirements set  
33 forth therein are met.

34 (30) The Idaho residential street address and telephone number of an  
35 eligible law enforcement or judicial officer and such officer's residing  
36 household members as provided for in chapters 58 and 62, title 19, Idaho  
37 Code, except under the following circumstances:

38 (a) If directed by a court order, to a person identified in the court  
39 order;

40 (b) If requested by a law enforcement agency, to the law enforcement  
41 agency;

42 (c) If requested by a financial institution or title company for busi-  
43 ness purposes, to the requesting financial institution or title com-  
44 pany; or

45 (d) If the law enforcement or judicial officer provides written permis-  
46 sion for disclosure of such information.

47 (31) All information exchanged between the Idaho transportation de-  
48 partment and insurance companies, any database created, all information  
49 contained in the verification system and all reports, responses or other

1 information generated for the purposes of the verification system, pursuant  
2 to section 49-1234, Idaho Code.

3 (32) Nothing in this section shall prohibit the release of information  
4 to the state controller as the state social security administrator as pro-  
5 vided in section 59-1101A, Idaho Code.

6 (33) Personal information, including but not limited to property val-  
7 ues, personal and business addresses, phone numbers, dates of birth, social  
8 security and driver's license numbers or any other identifying numbers or  
9 information maintained by the administrator of the unclaimed property law  
10 set forth in chapter 5, title 14, Idaho Code. Nothing in this subsection  
11 shall prohibit the release of names, last known city of residence, property  
12 value ranges and general property information by the administrator for the  
13 purpose of reuniting unclaimed property with its owner.

14 (34) Any personal information collected by the secretary of state,  
15 pursuant to section 67-906(1)(b), Idaho Code, for the purpose of allowing  
16 individuals to access the statewide electronic filing system authorized in  
17 section 67-906, Idaho Code, except campaign contact phone numbers for candi-  
18 dates or committees, which shall be publicly available upon request; and any  
19 notification email addresses submitted as part of a lobbyist's registration  
20 under section 67-6617, Idaho Code, of an employer, client, or designated  
21 contact for the purpose of electronic notification of that employer, client,  
22 or designated contact of a report filed under section 67-6619, Idaho Code.

23 SECTION 38. That Section [56-1013A](#), Idaho Code, be, and the same is  
24 hereby repealed.

25 SECTION 39. That Section [56-1020](#), Idaho Code, be, and the same is hereby  
26 repealed.

27 SECTION 40. That Section [56-1021](#), Idaho Code, be, and the same is hereby  
28 repealed.

29 SECTION 41. That Section [56-1022](#), Idaho Code, be, and the same is hereby  
30 repealed.

31 SECTION 42. That Section [56-1025](#), Idaho Code, be, and the same is hereby  
32 repealed.

33 SECTION 43. That Section [56-1027](#), Idaho Code, be, and the same is hereby  
34 repealed.

35 SECTION 44. That Section [56-1028](#), Idaho Code, be, and the same is hereby  
36 repealed.

37 SECTION 45. That Section [56-1029](#), Idaho Code, be, and the same is hereby  
38 repealed.

39 SECTION 46. That Section [57-2001](#), Idaho Code, be, and the same is hereby  
40 repealed.

41 SECTION 47. That Section [57-2002](#), Idaho Code, be, and the same is hereby  
42 repealed.

1       SECTION 48. That Section [57-2003](#), Idaho Code, be, and the same is hereby  
2 repealed.

3       SECTION 49. That Section [57-2006](#), Idaho Code, be, and the same is hereby  
4 repealed.

5       SECTION 50. That Section [56-1018](#), Idaho Code, be, and the same is hereby  
6 repealed.

7       SECTION 51. That Section [56-1018A](#), Idaho Code, be, and the same is  
8 hereby repealed.

9       SECTION 52. That Section [56-1018B](#), Idaho Code, be, and the same is  
10 hereby repealed.

11       SECTION 53. An emergency existing therefor, which emergency is hereby  
12 declared to exist, Sections 1 through 49 of this act shall be in full force  
13 and effect on and after July 1, 2025, and Sections 50 through 52 of this act  
14 shall be in full force and effect on and after August 1, 2025.