

## Citing threat to parents' rights, senator blocks bill on child deaths

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March 27, 2008

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BOISE – A Senate committee chairwoman has blocked legislation that would have ended Idaho's distinction as the only state in the nation with no system for reviewing child deaths.

Senate Health and Welfare Chairwoman Patti Anne Lodge, R-Huston, said Idaho doesn't need to review child deaths if every other state is already doing it.

"We can use the information that they've gathered," she said. "If they're already doing it, what could be different in a child death in Utah or Montana that we wouldn't have here? Why reinvent the wheel all the time?"

House Bill 511 passed the House on March 17 on a 63-5 vote, and it cleared Lodge's committee on a voice vote after a public hearing. But Lodge then asked the Senate to return the bill to her committee, where it's now dead.

"The concerns mostly were, what could this lead to?" she said. "Could this lead to maybe more usurping of freedoms? Could parents be charged?"

Lodge noted that her children rode horses without wearing helmets when they were growing up, and said she wouldn't want to see parents faulted for risky but normal childhood activities like that.

Rep. Margaret Henbest, D-Boise, the bill's co-sponsor and a pediatric nurse practitioner who works with abused children, was disappointed by Lodge's move.

"It means that people don't have to stand up and be counted for taking a stand on how we treat child deaths in our state," she said. "So rather than openly debate and vote against it, pull it back to committee really quietly."

Henbest, a respected health care expert who is retiring from the House this year after 12 terms, said she's frustrated.

"We talk a lot about family values and children's lives in this place," she said. "I have trouble understanding how that can't be universally valued."

The child mortality review legislation, which Henbest sponsored with GOP Rep. Russ Mathews, Idaho Falls, would have created a team of doctors, law enforcement workers and others to review unexpected child deaths in the state that worked to spot trends and prevent future deaths.

Idaho has periodically had such teams set up by executive order under past governors, but it has had no regular review of child deaths since 2003, in part because of concerns about federal health care privacy legislation.

Findings of Idaho's past child death review panels helped lead to:

- A sudden infant death syndrome, or SIDS, education program for Idaho parents.
- New seat belt laws.
- Programs on safe firearms storage in homes with children.
- A canal safety and fencing program.
- Education programs for parents on safety restraints in cars.

The new legislation would have set up the review team under state law, giving it full confidentiality, immunity from subpoena, and the ability to access all records about unexpected child deaths in Idaho. The annual cost to the state was estimated at \$43,250.

Sen. Joyce Broadsword, R-Sagle, vice chairwoman of the Senate Health and Welfare Committee, said she was undecided on the bill. She said she was surprised when Lodge asked the Senate to return it to her committee. "But she's my chairman and I follow her lead," Broadsword said.

Broadsword said she thought Idaho probably could coordinate information about child deaths without a new law, possibly through another executive order.

"Any time a child dies we need to know why and what happened," she said. "I don't know that we need to spend a large amount of money to research that. I think that our agencies are tracking it, we're just not getting the coordination."

Sen. Elliot Werk, D-Boise, a committee member, said he's been frustrated by Lodge's approach to the child death review bill and a day care licensing bill that also died in her committee.

"For me, it's exceedingly frustrating that when we're dealing with the lives and safety of children, we can't make progress," Werk said.