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FOR YOUR INFORMATION

Times-News

Twin Falls, Idaho

Friday Feb. 10, 2017

by Nathan Brown

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Changes to faith healing law possible

BOISE — Several proposals are being discussed at the Capitol to change Idaho's law that exempts from prosecution parents who believe in faith healing if their children get sick or die.

Senate President Pro Tem Brent Hill, R-Rexburg, said he expects to get a letter Friday from Sen. Dan Johnson, R-Lewiston, who was co-chairman of the Children at Risk-Faith Healing Work Group that studied the issue last year, outlining five options to consider.

"The goal is, it's not to punish the parents but to protect the children," Hill said.

Hill said the Senate leadership would meet Wednesday to discuss the possibilities. One would be to leave the law as it is. Another would be to expand reporting requirements for people such as educators, social workers and medical professionals.

"There's already a mechanism in there to protect the children if they have knowledge of what's going on," Hill said.

Another possibility is a bill being written by Sen. Dan Foreman, R-Moscow, to change the code to lift the exemption in cases where a parent or guardian knew, should have known or was advised by a doctor that their child had a medical condition likely to result in death.

"What I'm trying to do is come up with a compromise bill," Foreman said.

Foreman said he doesn't want to interfere with anyone's religious practices, but he also believes the state should step in if someone might die. He thinks his proposal has "at least a fair chance" of getting an introductory hearing in the Senate State Affairs Committee.

While most states provide some legal leeway to parents who have religious objections to conventional medicine, Idaho is one of the few that doesn't prosecute them if their children die when their deaths likely could have been prevented by medical treatment.

Southwestern Idaho is home to a number of congregations of the Followers of Christ, who reject medical care in favor New Testament-inspired treatments such as prayer, wine and anointing with oil. Some of them also live in Oregon, which amended its laws to remove a similar exemption in 2011, and the political controversy spread to Idaho shortly thereafter when reporting showed a higher-than-normal number of child deaths among members of the group, many from preventable causes. There have been documented cases in many recent years of children dying who likely wouldn't have if they had seen a doctor, mostly in Canyon County.

Rep. John Gannon, D-Boise, has been pushing legislation for the past few sessions to change the law but has been unable to get even an introductory hearing, with many Republicans saying they didn't want to infringe

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on religious freedom by tampering with the law. Last February, however, Gov. C.L. “Butch” Otter asked the legislative leadership to create a work group to study the issue over the interim, which they did.

Gannon has shared two proposals with his fellow lawmakers. One is similar to the bills he has introduced in the past, adding a line saying the exemption doesn’t apply in cases where a child is at imminent risk of death or permanent physical harm. The other would simply repeal the existing exemption. Both versions add a line specifying that not vaccinating a child won’t be considered a violation of the law.

“I am shopping them around,” Gannon said Wednesday. “There has to be the will here to do something before it gets printed.”

Hill said lawmakers would seek to balance “protecting religious rights and freedoms while protecting children that could be at risk.”

“That’s a sensitive line to walk,” he said.

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