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## February Report

### February 3, 2011

The month opened with the Day On The Hill event which was well attended. I spoke at the event regarding proposed legislation along with John Mackey, representing the Idaho chapter of NAIFA. Several Legislators spoke including Rep. Max Black and Sen. Dean Cameron. The day event was followed up with a reception held in the Crystal Ballroom. This reception gave us all a chance to meet and greet Legislators from around the state.

### February 7, 2011

The House State Affairs Committee commenced hearings on HB 117, the nullification bill. There were about two hundred people in attendance and about 40 of them testified on the bill. The meeting commenced at 8:00 AM and went until about 3:00 pm and then commenced again the next morning until noon. The House State Affairs Committee voted to pass the bill on to the full senate for a vote.

The majority of the guest speakers supported the bill and primarily focused on how the Health care bill is another Federal Intrusion into our lives, however, some small business men and women said that if they had to comply with the Federal Mandate to insure their employees they would have to cut jobs and possibly go out of business, especially in these times of lean profits. So it, in some cases, becomes a matter of having jobs or having health care for everyone.

An attorney, by the name of Bysline; who evidently has experience with constitutional law, testified that he questioned the legality of the nullification bill and he warned that if the bill passed and the state withdrew its participation from the federally mandated Patient Protection and Affordability Act and the courts found the states position to be a violation of law, the state may become liable for any medical costs not covered because the state did not adhere to the requirements of the Federal Health Care Bill.

In the end, the House voted in favor of the bill and sent it to the Senate where it was defeated in Committee. Senate State Affairs committee members were concerned about possible violation to the constitution and the legality of the bill.

I delivered a draft of our rebating bill to Rep. Black and we discussed the bill. He suggested that we increase the gift, prize, etc. amount from \$50.00 to \$100.00 semi-annually and suggested that I run the bill past the Director.

I then met with Bill Deal and Shad Priest and we discussed the bill and the changes and they had no problem with our proposal.

February 9, 2011

The Department submitted proposed amendments to the Child immunization law HB 130.

. The purpose of this proposal is to clarify several areas that were not specifically addressed in the 2010 legislation. The changes will clarify that the Board has authority to consult with experts to assist it in carrying out its functions under the chapter, broaden the types of information that may be provided to the Board by the Department of

Health and Welfare for purposes of determining the assessment amount, provide that the assessment will be made annually, clarify how the amount of the annual assessment should be calculated, define which vaccines will be funded by the assessment, clarify that assessment funds may be used to pay for necessary administrative functions under the chapter, and address how any excess funds will be handled.

HB 131 was introduced and its purpose was to make the law conform to the NAIC model law. These amendments extend the types of claims eligible for external review to include: denials based on appropriateness of health care, level of care, and effectiveness of care.

Both bills are currently in their 3<sup>rd</sup> reading in the House.

February 10<sup>th</sup>

I Met with Max to discuss the draft of the rebate bill. He told me to get a draft to the House Business committee secretary to get on the agenda.

February 11<sup>th</sup> I Delivered the bill to the House Business Committee secretary and also delivered a copy to LSO to get an assigned number.

February 15<sup>th</sup> the bill received an assigned RS number, and I presented the bill to House Business committee. The committee asks what the bill's present reading was regarding the number of times you could give \$50.00 gifts. The committee voted to send the bill to print.

February 22, 2011

I spoke to Governor's office regarding Memorial corrections and picked up a copy of the Memorial with corrections and I sent amendment to Scott for final correction.

Feb 23rd I Spoke to Max regarding Memorial corrections, he told me to take the Memorial to LSO for draft print. Draft print was completed and was scheduled for review by State Affairs committee on Feb 28<sup>th</sup>. Max agreed to carry the Memorial to the House floor for us.

Feb 24<sup>th</sup> I Attended the Lincoln Day dinner with Scott and Tom

Feb 25<sup>th</sup> The Nullification Bill was defeated in the Senate State Affairs Committee

Feb 28<sup>th</sup> I presented the Draft Memorial to the House State Affairs Committee. Three Democratic members of the committee were opposed to taking agent's commissions outside the MLR formula. One Republican abstained for further investigation in whether the proposed federal legislation to amend the Patient Protection and Affordability Act to remove agent's commission from the MLR formula was constitutional.

The Committee voted to send the draft Memorial to print and then on to the House Business Committee.

The rebating bill HB 171 will probably be heard in the House Business Committee the week of Monday March 7<sup>th</sup>. The Memorial may be heard the same week in the Business Committee or in the next week some time.

The two main issues taking up this Legislative session so far, is the Nullification Bill, HB117 and the three education bills presented by Tom Luna.

Currently, the only objection from the outside the legislature I have received on our rebating bill has come from the Independents Agents Association. They have a problem with the interpretation of what Semi-Annual means in the bill. I have agreed to meet with them on Friday, March 4,2011 to discuss their objections.