



## **Week Two Idaho Legislative Update for January 15 – January 19, 2024**

In the second week of the Sixty-Seventh Idaho Legislature's Second Regular Session, the House continued advancing several social issues that packed committee rooms full. Although this feels like later in the session, this is just the start of the contentious social issues that the Legislature will take up during this session. More social and personal bills were introduced from both the House and Senate. Abortion, mask mandates, guns on campus, and more were all included in the introductions this week. The Senate is no longer allowed to introduce personal bills after today, but the House removed their deadline for personal bills allowing legislators to introduce personal bills anytime during session.

JFAC had early fireworks this week, as the committee voted on party lines to approve 21 different maintenance budgets that encompass every state agency budget without line items or supplementals. These maintenance budgets were set at the Committee's first meeting of the week, with heavy pushback from the minority party members. The most interesting part of this process is that it has created a massive efficiency and an even larger hostage situation than last year. Also of note, the previous factions within the majority party members on JFAC seem to be pacified as we saw no public pushback on the Co-Chair's new methods. These budgets included zero line-items and only allocated for a 1% increase in change in employee compensation. For the remainder of the session, we will see JFAC hear from agencies regarding line items, to determine which select items to fund.

Leadership and the JFAC Co-Chairs have been planning for the funds that are not allocated in the maintenance budgets. With school vouchers and income tax cuts being the primary focus for the House, their goal is to keep as much funding for these "priorities" as possible. This stands in opposition to the Governor's proposed budget as there is not enough funding to do everything the Governor and Speaker want to do. Thus, big-ticket items like Idaho Launch, Medicaid, and transportation funding are all being considered as potential programs to cut to make room for Speaker Mike "King" Moyle's list of demands. BB&A has been monitoring these budgets closely to identify where potential cuts can be made without harming Idahoans and their top priorities.

Both the House and Senate also began hearing from agencies regarding their various pending rules waiting to be approved. Many of these rules are up for review due to the zero-based regulation (ZBR) Executive Order from Governor Little. The process has created an opportunity to revise agencies' rules to clarify, reduce administrative burden, and cut duplicative language. However, many legislators have caught on to agencies approaching the ZBR process with the goal of reducing word count. We have heard the frustration from leadership and other legislators who have grown tiresome of reviewing rules that have inadvertently created additional confusion to hit word count goals. Both the House and Senate must approve the rule for the rule to be enacted after the state Legislature votes to Sine Die. This process will be going on for the first few weeks, but some rules have already been held up.

We will continue to see the session accelerate as we head towards February. RS introduction deadlines are approaching. Floor sessions remain short. Committee meetings will gradually be longer and more contentious. Agency presentations will dwindle, and the number of bills to address will grow. All 105 Legislators are very aware of the election right around the corner. It has been interesting to see how their voting patterns have changed since last year.

The BB&A team has been working diligently to protect your interests. If you have any questions or concerns as we enter the next week of the session, please do not hesitate to reach out. Things are ramping up in the Capitol and we are here for you.

All bills from the 2024 Idaho Legislative Session are on the [Idaho State Legislative Website](#). To find your legislators, click [HERE](#). To view daily reading calendars and agendas, click [HERE](#).



### **HB 398 – Medicaid State Plan and Waivers – House Health and Welfare Committee**

This prevents the Department from requesting any changes from the state Medicaid Plan or applying for any 1115 or 1915 waiver. This approval must be done through Statute.

**Sponsor: Rep. Blanksma (R-8)**

### **HB 383 – Medical Liens – House Health and Welfare Committee**

This bill outlines the process for patients with and without a third-party payer. For those without a third-party payer, a lien must be filed before or within ninety (90) days after the date of discharge or the last of services provided, whichever is later. For those with a third-party payer, a lien must be filed only during the first thirty (30) days of an extraordinary collection action. Outlines that a provider authorized to file a lien to secure payment must do so according to the timelines and provisions of Chapter 7, Title 45 Idaho Code.

**Sponsor: Rep Skaug (R-10)**

## **Appropriations and Budgets**

As appropriations that are of interest to you start arising, they will appear under this section.

## **Rules**

[HERE](#) is the link for the Index of all Pending Rules seeking legislative approval. Committees in both the House and Senate are assigned rules to approve. As a reminder, if a rules docket passes either the House or the Senate, they are set to go into effect but need to be enacted by legislation or executive order. Once a pending rule is approved, a (+) symbol will appear in front of the docket number. If a pending rule is not approved by the Legislature a (-) will appear in front of the docket number.

### **IDAPA 16 – Department of Health and Welfare**

**16-0305-2301** – Eligibility for Aid to the Aged, Blind, and Disabled (ZBR)

**16-0306-2301** – Refugee Medical Assistance

**(+) 16-0309-2301** – Medicaid Basic Plan Benefits

**(+) 16-0310-2101** – Medicaid Enhanced Plan Benefits

**(+) 16-0313-2101** – Consumer Directed Services

**(+) 16-0318-2301** – Medicaid Cost-Sharing (ZBR, Fee Rule)

### **IDAPA 18 – Department of Insurance**

**18-0404-2301** – The Managed Care Reform Act Rule (ZBR)

**18-0602-2301** – Producers Handling Fiduciary Funds (ZBR)

**18-0603-2301** – Rules Governing Disclosure Requirements for Insurance Providers When Charging Fees (ZBR Chapter Repeal)

**18-0706-2301** – Rules Governing Life and Health Reinsurance Agreements (ZBR)

**18-0710-2301** – Corporate Governance Annual Disclosure (ZBR)