



Week Six Idaho Legislative Update for February 12 – February 16, 2024

In the sixth week of the Sixty-Seventh Idaho Legislature's Second Regular Session, the House of Representatives Republican Caucus elected a new Majority Leader on Monday, February 12, 2024. Rep. Jason Monks (R-22), Chair of the House Revenue and Taxation Committee, was elected and will serve out the remainder of the term as the new Majority Leader. Since Rep. Monks is now in leadership, he will no longer be able to fulfill his role as a chairman; thus, Rep. Cannon (R-30), Vice Chair of the Committee, was appointed by Speaker Moyle to serve as the new House Revenue and Taxation Committee Chair. Rep. Ehlers (R-21) will now step into the role of Vice Chair. A statement was sent out immediately following the House Floor adjournment. To read the full press statement click [HERE](#).

JFAC has begun to work quickly and diligently through the process to set budget line items and hear from agencies on their proposed requests. The Committee set budgets three out of the five working days to catch up from past weeks as discussions and negotiations were being made on the method of budgets. JFAC will continue to work to catch up to their budget-setting schedule. Over the next week, JFAC will take up large agencies and line items that include natural resources, Idaho Launch, and transportation. This is also an indication of how eager the Legislature is to finish session.

Nonprivileged committees lost the ability to introduce bills on Monday, without permission from the Speaker. This is tradition per the joint rules of the House and Senate. Dozens of bills were introduced at the start of the week but slowly dwindled as the week went on. We will still see plenty of bills introduced but far fewer in comparison to the last few weeks. The exorbitant number of bills introduced recently have started to work through the process as many receive hearings both this week and next in cramped agendas in the overburdened committees.

Committee meetings began to run long this week as numerous contentious and heavy issues were taken up. One bill that has drawn attention from numerous parties is a resolution to add Idaho to the list calling for an Article V Convention of States. Three iterations of Article V resolutions were all introduced, and one version was heard this week. [SCR 112](#) calls for balanced budget amendments, term limits, and reigning in the federal government. It was heard in Senate Judiciary and Rules on Wednesday marking a drastic departure from previous efforts being taken up through the State Affairs committees. This was sent to the Senate floor with a do-pass recommendation on a 6-3 vote.

The Senate has started to build up quite the laundry list of bills sitting on the third reading calendar. As more contentious bills are debated on the floor, this list will only grow as the session progresses. The House has many bills to debate, but this chamber has worked hard to keep their reading calendars short. The transmittal deadline will be here before we know it, the formal date is March 4, 2024, which is where the two chambers do their best to have all bills from their chamber across the floor and moving onto the other side of the rotunda. This is no easy task, and often requires both sides to start having two floor sessions a day. Towards the end of next, we will most likely see this occur.

As many of the larger policies have begun passing, we are now entering week seven of the session and believe we have passed the halfway point, but only time will tell. As days grow longer and more contentious, we remain positive and professional and believe we are making great progress. Much of the political theater has quieted down this week and legislators continue the diligent work of representing their constituents and voting on the massive influx of bills. As these bills are appearing on reports, we encourage you to review them and let us know the bills you'd like to take a position on or have questions about.

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](#).



SB 1355 – Medicaid Legislative Review Panel – Senate Health and Welfare

Creates the “Medicaid Legislative Review Panel” which will have the chairs of both the House and Senate Health and Welfare serving as co-chairs as well as one (1) appointed by the Speaker of the House and one (1) appointed by Pro Tempore of the Senate. There must be one (1) senator and one (1) representative from the minority, and the Legislative Services Office will staff the rest. The review panel will review contracts make recommendations on what should be included in Medicaid contracts and determine what data should be collected among other duties. This panel will create and submit a report of activities and recommendations to the Legislative Council.

Sponsor: Sen. VanOrden (R-30), Rep. Vander Woude (R-22)

HB 577 – Medicaid, Direct Payment – House Health and Welfare

Allows the Department of Health and Welfare to get approval from the Centers for Medicare and Medicaid Services (CMS) for payments to hospitals in the Idaho Behavioral Health Plan if they qualify. This payment can’t exceed the max allowed payment outlined by federal regulation. This must occur before July 1, 2027.

Sponsor: Rep. Petzke (R-21)

HB 521 – School Facilities Funding – House Revenue and Taxation

Lowers corporate and individual income tax from 5.8% to 5.695%. Adds property tax relief in the form of school facilities funding. This legislation also increases sales tax revenue allocation from 2.25% and 3.25% to the school district’s facility fund and also redirects the lottery dividends to the fund. This bill also dedicates \$125 million from sales tax to a new School Modernization Facilities Fund to be used for bonding.

These funds cannot be used for gymnasiums, only for classroom and other school renovations or replacements. This also changes the power from the Board of Education to the Governor to appoint an executive officer to the State Board. The annual report must be created for the Legislature with the details of the use of the School Modernization Fund. The August election is also removed from code to be used for bond and levy questions.

Sponsor: Rep. Moyle (R-10), Rep. Monks (R-22), Sen. Grow (R-14), Sen. Bernt (R-21)

HB 398 – Medicaid State Plan and Waivers – House Health and Welfare

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 501 – Medical Liens – House Business

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 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), Rep. Gannon (R-17)

SB 1234 – Six-Month Contraceptive – Passed the Senate (19-16) – House Business

Adds a new section to code for “Plans Covering Contraception”. Defines prescription contraception and health benefit plan. Defines what must be included in a health benefit plan or student health benefit plan, including provided reimbursement for prescription contraception intended to last six (6) months obtained at one (1) time.

Sponsor: Sen. Wintrow (D-19), Rep. Dixon (R-24)



HB 397 – Immunization Registry – Passed the House (56-11-3) – Senate Health and Welfare

Returns the immunization from an opt-out to an opt-in registry for children.

Sponsor: Rep. Blanksma (R-8)

HB 438 – Immunization Exemptions – House Health and Welfare

Amends code relating to immunizations and states school officials shall describe immunizations are not mandatory and may be refused on religious or other grounds.

Sponsor: Rep. Healey (R-15)

HB 439 – Immunization Assessment Board – House Floor

Reset the sunset date for the Idaho Immunization Board for July 1, 2029.

Sponsor: Rep. Healey (R-15)

HB 527 – Pharmacy Practice – House Health and Welfare

This bill consists of the Board of Pharmacy's rules they have been working on for the past ten (10) years, to be put into statute. Doing so will provide organization and efficiency moving forward for both the Board of Pharmacy and the Legislature.

Sponsor: Rep. Redman (R-3)

Appropriations and Budgets

HB 459 – General Government Maintenance Appropriation – Passed the House (55-11-4) – Senate Floor

The maintenance budget for General Government includes the Department of Administration, the Commission on Aging, the Commission on the Arts, the Commission for the Blind and Visually Impaired, Office of Drug Policy, Office of Energy and Mineral Resources, the Division of Financial Management, the Division of Human Resources, Office of Information Technology Services, the State Liquor Division, Military Division, PERSI, Office of Species Conservation, STEM action center, Workforce Development Council, Board of Tax Appeals, and the State Tax Commission.

Sponsor: Rep. Furniss (R-31), Sen. Grow (R-14)

HB 460 – Public School Support Program Maintenance Appropriation – Passed the House (53-14-3) – Senate Floor

This bill appropriates funding for the Public-School Support Program which includes the seven divisions for Administrators, Teachers, Operations, Children's Programs, Facilities, Central Services, and Educational Services for the Deaf and the Blind.

Sponsors: Rep. Lambert (R-23), Sen. Herndon (R-1)

SB 1268 – Health and Human Services Maintenance Appropriation – Passed the Senate (27-7-1) – Passed the House (58-11-1) – Sent to the Governor

The Health and Human Services maintenance budget includes the Department of Health and Welfare and the State Independent Living Council. Included in the Department of Health and Welfare is the Division of Medicaid, Rural Nursing Loan Repayment Fund, Emergency Medical Services, Substance Abuse Treatment and Prevention, and Mental Health Services.

Sponsors: Sen Bjerke (R-5), Rep. Tanner (R-14)



[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, the rules docket needs to pass both the House and 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)
*Senate Commerce rejected subsection 011.03
- (+) (+) [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)

Appointments

Appointments approved by Senate Committees, are confirmed by the full Senate.

- Chad Henggeler was confirmed by the Senate to the State Board of Health and Welfare on January 19, 2024.
- Robert Cuoio was confirmed by the Senate to the State Board of Health and Welfare on February 1, 2024.
- Carolyn Lodge was confirmed by the Senate to the Idaho Health Insurance Exchange Board on January 31, 2024.
- Julie Ann Triepke was confirmed by the Senate to the Idaho Health Insurance Exchange Board on February 2, 2024.
- Heidi Hart was confirmed by the Senate to the Idaho Health Insurance Exchange Board on February 8, 2024.