



Week Seven Idaho Legislative Update for February 19 – February 23, 2024

In the seventh week of the Sixty-Seventh Idaho Legislature's Second Regular Session, policies and ideas are flying with another year-over-year increase in the number of bills introduced in this session. While not all bills pass, there is a considerably higher number of bills introduced again this year, many of which will not move forward through both chambers. Many of these bills produced from out-of-state special interest groups, are using Idaho as a conservative testing ground. While Idaho has not been immune to this type of influence in past years, the variety and number of bills from these groups that gain introduction and committee hearings continue to go up.

This year so far, the House and the Senate have introduced over 450 bills, with at least a third of the session left to go. When compared to last year's session, the total number of bills introduced was 596. With omnibus maintenance budgets keeping the total number of appropriations bills down this year, it's a record number of policy bills introduced for sure. There were 157 budget bills last year. This year there have been 26 budgets introduced, 10 of which failed earlier this session. With many more bills containing agency line items still working through the budget process, and the bill introduction deadlines passing but not causing the traditional slowdown of new bill introductions, the weight of policies and decision-making behind the bill count continues to rise in another contentious and political legislative session in Idaho.

The House has maintained general decorum and even some friendly banter this week as they continued through their calendar voting on bills that are moving through committee and to the floor quickly. The Senate floor has had several lengthy hearings causing their calendar to again grow longer this week as they continue their work. Interestingly, the school's facility funding, income tax reduction bill [HB 521](#), also cleared the House Friday afternoon with a vote of 61-6-3. It now heads to the Senate with strong momentum.

In JFAC this week efforts continued to move funding forward to agencies as the maintenance budgets clear the floors. The supplemental budgets with various requests from agencies, and recommended by the Governor, continue to pass with a strong majority. Perhaps most impressive this week was the passage of funding for the Workforce Development Council which included the line items to fund the Launch program passed last year. JFAC passed this budget to the floor on a 16-4 vote sending a clear message they want the House and Senate to fund the program they approved last year. While this funding is heading to the floor with support, it will undoubtedly be a contentious vote on the floors of the House and Senate.

The staff in the Capitol, legislators and all those who work in the policy arena are feeling the weight of the increase in bills and the contention they cause. The heavy work of session is in full effect and emotions continue to run high as fatigue and frustrations begin setting in. Leadership on both sides continues efforts to convince their caucus and the full body that the direction and control they have asserted is working. The Governor began treating bills this week. His inbox will begin filling next week and beyond, with bills that he will have to decide to sign, veto, or allow to become law without his signature.

While many of the big-ticket items have shown progress this week, there are many bills left to be considered. And although the list of bills continues to grow, there is still time to get good policy through the process. While much of our efforts have now shifted to stopping predatory bills, we remain in good favor and relationships are strong. It's important to remember in this work that we often disagree, but never want to be disagreeable. Despite the challenges ahead, we remain optimistic for positive outcomes for you this year. We are continually grateful for your trust and welcome you to be even more involved in the process as you see fit. Please continue to reach out with questions as they arise, and we look forward to entering what we hope to be the final third of the 2024 Idaho legislative session.

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 Floor

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 – Passed the House (58-10-2) – Senate

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 General Orders

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 Floor

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. Nelsen (R-26)



[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 – Passed the House (58-10-2) – Senate

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.