



Week Five Idaho Legislative Update for Feb. 3 – Feb. 7, 2025

Week five of the Sixty-Eighth Idaho Legislature's first regular session delivered the goods. Some major, high-profile bills dropped. JFAC approved a CEC package as some committee members plugged their noses and voted "aye" despite their disdain for the state employee pay raise proposal. More rules were approved, though others continue to languish. Amid robust, and at times pointed debate, the first of the child tax credit/school choice funding bills was approved by the House Friday on a 42-28 vote, clearing [HB 93](#) for debate in the Senate. It's safe to say things are humming under the dome, so let us break it down for you.

The looming print deadline early next week for non-privileged committees triggered the traditional flurry of RS's that will crowd agendas in the coming weeks. It's a harsh early February reality for everyone, but the deadline forces lawmakers to show their policy ideas knowing full well it will cause a log jam for bill drafting staff, bring longer and more contentious committee hearings and force tough choices as Chairmen determine what bills will be heard or flicked aside.

Here's an interesting twist we're noticing this year. The large "Christmas tree" bills with major tax cuts appeared earlier than in the past, forcing the individual policy bills and other pet initiatives to play chase to these higher profile proposals. Stay tuned, because even with the print deadline approaching, we know there are more bills and ideas in the pipeline as the session shifts into a higher, more chaotic gear.

So, what did we see bubble up this week? Three different broadband bills were introduced, along with a slew of water and cloud seeding bills and a handful of wildlife management policy initiatives. Yet another Article V convention effort appeared. There are some new law enforcement bills to consider and some proposed restrictions in city and county policies. Let's just say the statehouse is teeming with ideas, some good and some... well, not so good.

It's also worth noting the House introduction of [HB 138](#), which would impose work requirement conditions on the voter approved Medicaid expansion. Rep. Jordan Redman, a Coeur d'Alene Republican, is trying again to require able-bodied individuals enrolled in Medicaid to work or volunteer a minimum of 20 hours per week. The work stipulation would apply unless the person is under 19 or over 64 years of age or meets certain physical, medical or mental health criteria. HB 138 also authorizes that Idahoans with gross income at 100 percent of the poverty level would receive an advance premium tax credit to buy health insurance on the Idaho Health Insurance Exchange, and it forces Medicaid expansion to shut down within 36 months.

It's the second House shot over the Medicaid expansion bow in the last few weeks. Last month, a committee introduced [HB 58](#) seeking full repeal of Medicaid expansion, which was approved by 61 percent of Idaho voters in 2018 and since then has gained in public support in some polling. Redman's bill is a backstop of sorts if the Legislature fails to muster support for the full repeal of the program.

The Joint Finance Appropriations Committee has checked a major box in reaching agreement on state employee compensation. After being bogged down in procedural and philosophical differences the last several weeks, JFAC is authorizing up to \$1.55 per hour increases based on merit for state agencies and higher education programs. A five percent pay increase is coming for community colleges and public-school employees and an eight percent pay hike is in the offing for Idaho State Police. This is an important step for JFAC as it can now turn its focus on setting revenue targets and state agency "enhancement" budgets. The budget writing committee may be a bit behind, but we see no reason to think it can't get back on track in the coming weeks.

All bills for the 2025 session can be found on the [Idaho State Legislative website](#). Interested in finding your legislator? Visit [HERE](#). Daily reading calendars and agendas are found [HERE](#). As usual, we're available if you have questions.



Policies

HB 138 - Medicaid Expansion Conditions - House Health and Welfare

Requires able-bodied individuals to work or volunteer 20 hours per week at a minimum. This applies unless the individual is under 19 or over 64 years of age, certified as physically or mentally unfit for employment, pregnant, parent or caretaker of a child under 6, receiving unemployment compensation, or participating in a drug addiction or alcohol treatment program.

The gross income at 100% poverty level will receive an advance premium tax credit to purchase a qualified health plan the Idaho Health Insurance Exchange. This caps the Expansion population at 50,000. Caps the improper payment at 5% or less and added biannual redetermination requirements. Adds a lifetime limit of 36 months for Medicaid Expansion program.

Sponsor: Rep. Redman (R-3)

HB 76 – Medicaid Value Based Contract Timeline – House Health and Welfare

Stipulates that any agreement between the Department of Health and Welfare and any provider/health system have a one-year duration aligned with the States' fiscal year (July 1 – June 30). This allows for legislators to review performance from the prior contract/fiscal year ahead of the next session.

Sponsor: Rep. Vander Woude (R-22)

HB 84 - Dept. of Administration, Cities - House State Affairs

Enables cities to join the health insurance pool to decrease health insurance premiums for municipalities by spreading the insurance risk across a larger group. There is no requirement for cities to enroll in the state insurance plan. No fiscal impact.

Sponsor: Rep. Cheatum (R-28)

HB 116 - Small Employer Carrier Insurance Repeal - House Business

Aimed at repealing the Idaho Small Employer Carrier Reinsurance Program, which was enacted in the early 1990's to promote the availability of small employer health insurance coverage in Idaho, by providing a safety net to carriers. However, with the introduction of the affordable care act, there has been no membership or activity of this program since 2016 and it is no longer needed.

Sponsor: Rep. Redman (R-3)

HB 31 - Medicaid Payer of Last Result – Passed the House (68-0-2) – Senate Health and Welfare

This bill clarifies responsibility for any Medicaid-eligible individual who also has third-party coverage, to accept the state's authorization for a service or item that the third-party requires authorization for, if the state plan covers the service or item. This ensures that Medicaid is always the payer of last result.

Sponsor: Rep. Redman (R-3)

HB 38 - Idaho Life and Health Insurance Guaranty Association Act – House Business

Updates the Act originally passed to protect consumers when an insurer becomes insolvent. Updates to clarify that certain companies are not eligible for coverage under the Act; adjusts coverage determinations for high-risk, long-term care; requires health insurance CO-OPs created under the ACA to become members of the ILHGA and removes a cap on annual association membership fees.

Sponsor: Rep. Ehlers (R-21)



HB 62 – Medicaid Fraud & Tax Commission – House Health & Welfare

Allows the Department of Health & Welfare (DHW) to enter into a memorandum of understanding (MoU) with the Tax Commission to share tax information as part of Medicaid fraud investigations. This enables a faster and more accurate method for obtaining gross adjusted income, rather than issuing subpoenas for banking information.

Sponsor: Rep. Fuhriman (R-30)

HB 71 - Uniform Standards-Insurance - House Business

The intent of this legislation is to provide uniform standards for insurers and registered insurance holding companies to file the Group Capital Calculation and Liquidity Stress Test, two key regulatory tools for monitoring solvency. Defines terms for the Group Capital Calculation and the Liquidity Stress Test and companies that may be exempt, as well as insurer information confidentiality and safety measures. No fiscal impact.

Sponsor: Rep. Crane (R-13)

HB 72 - Risk Mitigation Services (Insurance) – House Business

Prohibits unfair trade practices by amending Idaho Code to allow insurance providers or producers to provide value-added products or services at no or reduced cost when these products are not specified in the policy of insurance. This applies to products or services designed to provide mitigation, reduce claim costs, enhance health and incentivize behavioral changes. The cost to the insurer or producer offering the product or service must be reasonable in comparison to the customer's premiums or insurance coverage for the policy class. The product or service will be offered in a manner that is not unfairly discriminatory. No fiscal impact.

Sponsor: Rep. Cornilles (R-12)

HB 14 - Idaho Code Cleanup Act – Passed the House (68-0-4) - Passed the Senate (34-0-1) – Sent to Governor

Requires each agency to follow a similar process to the ZBR rulemaking process, which requires each agency to study and delete unnecessary, obsolete, and outdated rules. Agencies must complete a review of their code sections no later than Sept. 1, 2025, and report to the Legislature any recommended edits in each agency report. The Legislature will take up the recommendations for consideration during the 2026 regular session.

Sponsor: Rep. Moyle (R-10)

HB 17 - Wildfire Insurance - House Business

Aims to improve and stabilize the market with the creation of an Idaho Wildfire Risk Mitigation Stabilization Pool and Board. These entities would allow for a greater stability in the insurance market, which has decreased in some areas due to the risk of wildfire. Additionally, this would allow for mitigation of wildfire risk for property owners, reducing cost of property insurance. The plan of operation involves two steps, one that includes mitigation of wildfire risk for homeowners and the second that allows the board to develop strategies to stabilize the marketplace.

Sponsor: Rep Redman (R-3)

HB 90 – Public Assistance, Legislative Action - House Health & Welfare

Modification of eligibility criteria to clarify that any change that would expand eligibility criteria for a public assistance program or expand the benefit of a public assistance program must be authorized in statute and not provided in rules, state plan, agency guidance or any other documents.

Sponsor: Rep. Vander Woude (R-22)

HB 117 - Insurance Data Security, Breach Reporting - House Business

Requires that insurance companies with 50+ employees be required to maintain data storage, maintenance, and security standards for the safety of Idaho citizens. If any breach identified, they also would be required to report the finding.

Sponsor: Rep. Redman (R-3)



[HB 134](#) – Breast Cancer Screening – Health and Welfare

Allows for coverage of supplemental breast cancer screening for persons of heightened risks, including genetic predisposition, prior radiation therapy and other factors. Coverage applies to health insurance plans other than Medicaid or self-insured ERISA plans. There is likely to be a fiscal impact.

Sponsors: Rep. Green (D-18), Rep. Healey (D-15), Rep. Rubel (D-18)

[HB 135](#) – Illegal Aliens Health, Social Benefits – Health and Welfare

Amends Idaho Code to remove certain non-emergency health care benefits and social benefits for illegal aliens residing in Idaho. The bill would not require verification of lawful presence in Idaho for emergency health care, short-term non-cash disaster relief, or programs at short-term shelters. Also further defines lawful presence in Idaho.

Sponsor: Rep. Redman (R-3)

[HB 136](#) – Transparency in Drug Pricing Program – Health and Welfare

Adds new section to Idaho Code to establish provisions related to the 340B drug pricing program. Defines 340B covered programs and sets criteria for those programs to report before April 1 of each year to DHW, Attorney General and State Controller.

Sponsor: Rep. Redman (R-3)

[HB 58](#) - Repeal of Medicaid Expansion - House Health and Welfare

This bill would repeal the Medicaid Expansion program (Idaho Code 56-267) as of July 1, 2025. This fiscal note estimates a savings of \$110 million a year, which is what the state spends every year on the Medicaid Expansion population.

Sponsor: Rep. Vander Woude (R-22)

Appropriations and Budgets

This is where appropriations and budgets of interest will appear as introduced in the session.

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, 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.

Department of Health and Welfare

(+) (+) [16-0309-2401](#) – Medicaid Basic Plan Benefits (ZBR Chapter Rewrite) – Proposed Rule

Appointments

On January 20, 2025, Alex Adams was confirmed by the Senate as the Director for the Idaho Department of Health and Welfare.



On January 23, 2025, Steve Landon was confirmed by the Senate to the State Insurance Fund Board
On February 5, 2025, Tara Malek was confirmed by the Senate to the Idaho Health Insurance Exchange Board