



Week 8

March 4, 2018

Greetings members of the Idaho Public Health Association (IPHA) and Idaho Family Caregiver Alliance (ICA) and welcome to the 2018 Idaho Legislative Session. My name is Pragna Naidoo and I am the IPHA/ICA legislative intern. My goal is to provide you with meaningful weekly updates, legislative summaries, and other resource materials. Please contact me if you have questions or comments or ideas on items for the Update, pragnanaidoo.policyintern@gmail.com.

Bill Highlight: Foster Care Improvement Act

Members of the interim Foster Care Study Committee introduced Senate Bill 1341 on March 2, 2018. The bill is also known as the “Foster Care Improvement Act.” It aims to improve Idaho’s foster care outcomes by addressing a collection of issues that are identified by the Office of Performance Evaluations’ 2017 report and various legislators. There will be a **public hearing** for the “Foster Care Improvement Act” on **Monday, March 5, 2018 at 1:30 pm, Senate Judiciary & Rules Committee, State Capitol, Room WW54**. Idaho Voices for Children believes that the bill is a step forward for Idaho and will have lasting, positive impacts on the well-being of our state’s most vulnerable population – children affected by foster care.

Idaho Voices for Children has been working with lawmakers and child welfare stakeholders to develop policy solutions that address gaps in foster care services. The legislation specifically serves to do the following:

- 1. Preserve sibling connections in foster care
- 2. Strengthen support services for newly reunified families in foster care
- 3. Establish a system for increased accountability for child welfare outcomes
- 4. Enhance procedures that guide investigations of suspected child abuse and neglect
- 5. Clarify the process for contesting foster care placement

For full disclosure of the overview of this proposed legislation, you can download a copy of the full policy overview [here](#).

Health and Welfare Corner

Spotlight on Health Care Bills

House Bill [615](#), sponsored by Representatives Bryan Zollinger (R-33, Idaho Falls) and John Vander Woude (R-22, Nampa) was heard in the **House Health and Welfare Committee** **Monday, February 25**. It was being offered as an **alternative to HB 464** which was crafted by the Departments of Insurance and Health and Welfare and has the support of the Governor. HB 464 was approved by the House Health and Welfare Committee after a lengthy hearing on February 9. HB464 is the closest approach we have had to covering part of the people in the Medicaid Gap. The bill was held in committee by an 8-4 vote, effectively killing it. Jim Baugh, Executive Director of Disability Rights Idaho, pointed out the confusing language that would have imposed the five-year cap on Medicaid benefits to those with lifelong disabilities. Although Rep. Zollinger indicated that was not his intent, some committee members felt this bill was not adequately vetted, needed more clarification, and tried to combine too many different elements. Chairman Fred Wood spoke to the direct primary care program that was included in the bill and said that it would not work for the Medicaid population.

The Idaho Health Care Plan

After passing the House Health and Welfare Committee on February 9 and sitting on the floor of the House waiting for a vote for more than two weeks, the Idaho Health Care Plan, [H0464](#), was returned to the Health and Welfare Committee on February 27. This appears to be the end of this bill – and for helping to fill the Medicaid gap – this session. The bill would potentially have provided the opportunity to purchase subsidized insurance plans through the state insurance exchange for 35,000 Idahoans who fall into the coverage gap. House leadership said they did not have the votes to pass the bill. For further information, please see [Idaho Health Care Plan Fact Sheet](#), courtesy of *Close the Gap Idaho..*

12 – Month Supply of Birth Control

Senator Cherie Buckner-Webb's bill, [SB1281](#), has been killed by Senate Republicans. The bill would have allowed women to receive up to a 12-month supply of prescribed birth control. The current permitted supply of birth control in Idaho is between one to three months. Buckner – Webb urged the importance of this bill keeping women, particularly those in rural areas, in mind. These women have limited access to pharmacies and birth control is entirely dependent on consistent use. There are already eleven other states that have these laws in place. Nevertheless, opponents of the bill still questioned its necessity. Sen. Tony Potts (R- Idaho Falls), argued against the bill, stating that part of life is being able to manage medication.

CBD Oil

HB 577 was the second bill brought before the legislature by Rep. Dorothy Moon, to legalize the use of CBD oil. It replaced her earlier bill, **HB410** which would have required oversight by the Board of Pharmacy. The bill has passed the House on a 59-11 vote on February 28. Many Representatives spoke out in favor of the bill for the treatment of severely ill children. Rep. Gayann DeMordaunt, R-Eagle, said "I am one of those mothers. I have a daughter...diagnosed with petit mal epilepsy when she was four years old...at age 4, we put her tiny little body on some very serious drugs to control seizure...Had I had the option of choosing a natural way to address those, I absolutely would have...that is why I encourage your support of this bill." The bill now moves on to the Senate side where it has been assigned to the Health and Welfare Committee.

Direct Primary Care Pilot Project

SB1311, creating a direct primary care project to be provided through public health districts who choose to participate, has passed the Senate unanimously and is now in the House Health and Welfare Committee where it is expected to be heard this week. The bill would require

individuals who participate to attend a financial literacy course or health coaching offered by a qualified non-profit organization in order to receive up to 10 months of direct primary care.

New State Nursing Facility

The Senate State Affairs Committee has endorsed **SCR140**, which sets out plans for using bonds to build a new \$35 million skilled nursing facility on the State Hospital South campus in Blackfoot to replace a four-story, 1930s-era structure that now houses 29 elderly and disabled patients with severe mental or physical disabilities and behavioral issues including violence. Sen. Steve Bair, R-Blackfoot, said the patients housed in the facility are among the state's most vulnerable and the building "has some severe deficiencies". The bonding plan, which would go through the Idaho State Building Authority, would use the per-bed expenditures for the patients in the facility, which fall under the Medicaid program, to cover the bond payments; that means the federal government would cover 71 percent of the costs for the 30-year bond. Bair said the bonding plan was developed because the state's Permanent Building Fund doesn't have the \$35 million to cover the project.

JFAC Corner

Spotlight on Medicaid Budget

The Joint Finance-Appropriations Committee (JFAC) has set a budget for Medicaid on a unanimous vote of 20 – 0. The budget is significantly below what Governor Butch Otter recommended, despite it including two provider rate increases that weren't included in the initial budget proposal. The main reason behind this fact is that the Idaho Health Care Plan (HB464) was pulled from the House floor with a vote to send it back to committee. Gov. Otter had proposed \$17.8 million in state general funds and \$100.8 million in total funds with added federal matched funding; this was zeroed out. The budget set by the joint committee demonstrates a 9.8% increase in state general funds for Medicaid next year and 7% in total funds. Otter had recommended a 13% increase in state general funds and 11.2% in total funds.

Public Health Budget

Following the setting of the Medicaid budget, JFAC set the budget for Public Health Services. This budget is slightly lower than that recommended by Governor Otter due to three children dropping out of the "expanded access" program that is supplying Epidiolex, a commercial version of CBD oil, to a group of Idaho children with severe epilepsy. Once children drop out of that program, their spots cannot be refilled, bringing the most recent number of children receiving this treatment to 33.

To Watch

A call to action for health care access for low-income women in Idaho has been heard. [H0563](#) will promote access to important health and family planning services for this demographic. Idaho would be allowed to seek federal permission – known as a waiver – to expand family planning services to women ages 19 – 44 who currently lie in the coverage gap (do not qualify for Medicare, Medicaid, etc.). Sponsor House Minority Leader Matt Erpelding (D-Boise), says the bill aims to prevent unintended pregnancies and improve birth outcomes. Currently, in Idaho, the majority of low-income women are only eligible to enroll in Medicaid if they become pregnant; the coverage expires within 60 days of delivery.

IPHA / ICA Bill Tracker

If there are specific Bills or Rules that you would like to be tracked, please reach out. For full bill text and more information regarding bills this session, please go to the [Idaho Legislature Bill Center](#)

| Bill | Description | Last Action |
|-----------------------|--------------------------------|--|
| H0335 | Employment, taxable wage rates | 01/31/2018 House - Reported Signed by Governor on January 31, 2018 |

| | | |
|-----------------------|--------------------------------------|--|
| H0336 | Medicaid, nursing facilities | 03/02/2018 House - Reported Enrolled; Signed by Speaker; Transmitted to Senate |
| H0337 | Behavioral health, council, boards | 03/01/2018 House - Delivered to Governor at 10:20 a.m. on March 1, 2018 |
| H0338 | Health care, insurance, assistance | 01/17/2018 House - Reported Printed and Referred to Health & Welfare |
| H0339 | Pharmacy, drug substitutions | 03/01/2018 House - Delivered to Governor at 10:20 a.m. on March 1, 2018 |
| H0340 | Controlled substances | 03/01/2018 House - Delivered to Governor at 10:20 a.m. on March 1, 2018 |
| H0341 | Tobacco, retailers fee | 01/17/2018 House - Reported Printed and Referred to Health & Welfare |
| H0342 | Hospitalization, mentally ill | 01/17/2018 House - Reported Printed and Referred to Health & Welfare |
| H0343 | Dentistry, dental specialists | 03/02/2018 House - Reported Enrolled; Signed by Speaker; Transmitted to Senate |
| H0344 | Dental hygienists, access settings | 03/02/2018 House - Reported Enrolled; Signed by Speaker; Transmitted to Senate |
| H0345 | Dentistry, convictions | 03/02/2018 House - Reported Enrolled; Signed by Speaker; Transmitted to Senate |
| H0346 | Board of dentistry, compensation | 03/02/2018 House - Reported Enrolled; Signed by Speaker; Transmitted to Senate |
| H0347 | Ombudsman for elderly, reporting | 03/02/2018 House - Reported Enrolled; Signed by Speaker; Transmitted to Senate |
| H0348 | Board of acupuncture, honorarium | 03/02/2018 House - Reported Enrolled; Signed by Speaker; Transmitted to Senate |
| H0349 | Occupational therapists | 03/02/2018 House - Reported Enrolled; Signed by Speaker; Transmitted to Senate |
| H0350 | Counselors and therapists | 02/28/2018 Senate - Retained on calendar |
| H0351 | Pharmacy, licensing and registration | 03/01/2018 House - Delivered to Governor at 10:20 a.m. on March 1, 2018 |
| H0352 | Occupational licensing, physicians | 03/01/2018 House - Reported Signed by Governor on March 1, 2018 |
| H0353 | Volunteer health care providers | 03/01/2018 House - Delivered to Governor at 10:20 a.m. on March 1, 2018 |
| H0354 | Opioid | 02/20/2018 House - Reported Signed by Governor |

| | | |
|-----------------------|-------------------------------------|---|
| | antagonists, filing | on February 20, 2018 |
| H0356 | Fish and game, liability provisions | 01/17/2018 House - Reported Printed and Referred to Resources & Conservation |
| H0387 | License plate fees, purple heart | 03/01/2018 House - Delivered to Governor at 10:20 a.m. on March 1, 2018 |
| H0393 | Insurance, immunization board | 03/01/2018 House - Reported Signed by Governor on March 1, 2018 |
| H0398 | Mental health, conversion therapy | 01/25/2018 House - Reported Printed and Referred to Ways & Means |
| H0409 | Nursing home administrators | 02/22/2018 Senate - Read second time; filed for Third Reading |
| H0410 | Cannabidiol oil | 01/26/2018 House - Reported Printed and Referred to Health & Welfare |
| H0411 | Sign language interpreters | 03/01/2018 Senate - Read second time; filed for Third Reading |
| H0414 | Sex education | 01/26/2018 House - Reported Printed and Referred to Education |
| H0431 | Medical directors, classification | 03/02/2018 Senate - Reported out of Committee with Do Pass Recommendation; Filed for second reading |
| H0448 | Breastfeeding exempt, obscenity | 02/23/2018 Senate - Introduced, read first time; referred to: Judiciary & Rules |
| H0464 | Health care, waiver | 02/27/2018 House - Motion to return to Health & Welfare Committee; return to committee |
| H0465 | Medicaid, dental services | 02/22/2018 Senate - Read second time; filed for Third Reading |
| H0472 | Rural physicians, state match | 03/02/2018 Senate - Reported out of Committee with Do Pass Recommendation; Filed for second reading |
| H0475 | Approp, H&W mental hlth, Chg | 03/01/2018 House - Delivered to Governor at 10:20 a.m. on March 1, 2018 |
| H0491 | Marijuana possession, penalty | 02/06/2018 House - Reported Printed and Referred to Judiciary, Rules & Administration |
| H0492 | Property taxes, disabled veterans | 02/16/2018 Senate - Introduced, read first time; referred to: Local Government & Taxation |
| H0494 | Immunizations, notification | 02/27/2018 Senate - Introduced, read first time; referred to: Health & Welfare |

| | | |
|-----------------------|-------------------------------------|--|
| H0495 | Health care billing equity act | 02/06/2018 House - Reported Printed and Referred to Health & Welfare |
| H0500 | Public records, child abuse | 03/01/2018 Senate - Introduced, read first time; referred to: Judiciary & Rules |
| H0505 | Physical therapy, dry needling | 02/23/2018 Senate - Introduced, read first time; referred to: Health & Welfare |
| H0513 | Sales tax, free/charitable clinics | 02/26/2018 Senate - Read second time; filed for Third Reading |
| H0529 | Fish and game, disabled veteran fee | 02/13/2018 House - Bill Previously Held at Desk, Referred to Resources & Conservation |
| H0546 | Anatomical gifts, age of donation | 02/28/2018 Senate - Introduced, read first time; referred to: Health & Welfare |
| H0548 | Insurance, long-term care | 02/28/2018 Senate - Introduced, read first time; referred to: Commerce & Human Resources |
| H0562 | Public health districts, trustees | 02/28/2018 Senate - Introduced, read first time; referred to: Health & Welfare |
| H0563 | Plan First Idaho | 03/02/2018 House - Read second time; Filed for Third Reading |
| H0564 | Welfare benefits, report | 02/14/2018 House - Reported Printed and Referred to Health & Welfare |
| H0570 | Battery, health care workers | 02/14/2018 House - Reported Printed and Referred to Judiciary, Rules & Administration |
| H0571 | Abortion complications reporting | 02/14/2018 House - Reported Printed and Referred to State Affairs |
| H0572 | Family planning providers | 02/14/2018 House - Reported Printed and Referred to Health & Welfare |
| H0576 | Limited use immunity | 02/14/2018 House - Reported Printed and Referred to Health & Welfare |
| H0577 | Cannabidiol oil | 03/01/2018 Senate - Introduced, read first time; referred to: Health & Welfare |
| H0579 | Sex education | 02/22/2018 House - Take bill off General Orders; referred to Education |
| H0587 | Tort claims, government liability | 03/01/2018 Senate - Introduced, read first time; referred to: Judiciary & Rules |
| H0590 | Guided education management act | 03/02/2018 House - Read second time; Filed for Third Reading |

| | | |
|------------------------|----------------------------------|--|
| H0614 | Insurance contracts, dental | 02/21/2018 House - Reported Printed and Referred to Health & Welfare |
| H0615 | Health benefit plans, non ACA | 02/21/2018 House - Reported Printed and Referred to Health & Welfare |
| H0616 | Insurance, dental services | 02/21/2018 House - Reported Printed and Referred to Health & Welfare |
| H0634 | Education, suicide prevention | 03/02/2018 House - U.C. to hold place on third reading calendar one legislative day |
| H0638 | Abortion, reporting act | 03/02/2018 Senate - Introduced, read first time; referred to: State Affairs |
| H0657 | Battery, health care workers | 03/02/2018 House - Reported Printed and Referred to Judiciary, Rules & Administration |
| HCR036 | Childhood cancer, DIPG | 02/23/2018 Senate - Introduced, read first time; referred to: Health & Welfare |
| HCR038 | Eating disorders awareness week | 03/01/2018 House - Delivered to Secretary of State at 10:15 a.m. on March 1, 2018 |
| HCR041 | Group insurance committee | 02/23/2018 Senate - Introduced, read first time; referred to: Commerce & Human Resources |
| HCR043 | Organ donation, awareness | 03/02/2018 Senate - Introduced, read first time; referred to: Health & Welfare |
| HCR045 | Hearing devices | 03/02/2018 Senate - Introduced, read first time; referred to: Health & Welfare |
| HCR047 | Health and welfare, tafi | 03/02/2018 Senate - Reported out of Committee with Do Pass Recommendation; to 10th order; held one legislative day |
| S1219 | Health insurance, waiver | 03/02/2018 House - Passed: Ayes 67 Nays 0 Abs/Excd 3, title approved, to Senate |
| S1223 | Insurance, living donors | 01/22/2018 Senate - Reported Printed; referred to Commerce & Human Resources |
| S1224 | Medicaid expansion | 01/22/2018 Senate - Reported Printed; referred to Health & Welfare |
| S1227 | Immunizations, exemptions | 01/25/2018 Senate - Reported Printed; referred to Health & Welfare |
| S1235 | Board of nursing, education | 02/19/2018 House - Read First Time, Referred to Health & Welfare |
| S1243 | Abortion, posting information | 02/21/2018 House - Read First Time, Referred to State Affairs |
| S1246 | Correctional facilities, medical | 02/12/2018 House - Read First Time, Referred to Judiciary, Rules & Administration |

| | | |
|-------------------------------|------------------------------------|--|
| <u>S1248</u> | Organ donation, notification | 02/21/2018 House - Read First Time, Referred to Health & Welfare |
| <u>S1249</u> | Education, organ donation | 02/13/2018 House - Read First Time, Referred to Health & Welfare |
| <u>S1250</u> | State employees, organ donation | 02/13/2018 House - Read First Time, Referred to Health & Welfare |
| <u>S1255</u> | Tobacco, age of possession | 02/01/2018 Senate - Reported Printed; referred to State Affairs |
| <u>S1262</u> | Patient caregiver support act | 02/02/2018 Senate - Reported Printed; referred to Health & Welfare |
| <u>S1271</u> | Health care, confidentiality | 02/21/2018 House - Read First Time, Referred to Health & Welfare |
| <u>S1273</u> | Health benefit plans, cancer meds | 02/08/2018 Senate - Reported Printed; referred to Commerce & Human Resources |
| <u>S1281</u> | Insurance, contraceptives | 02/09/2018 Senate - Reported Printed; referred to Commerce & Human Resources |
| <u>S1288</u> | Out-of-state insurers | 02/28/2018 House - Read First Time, Referred to Business |
| <u>S1289</u> | Pharmacy benefit managers | 02/12/2018 Senate - Reported Printed; referred to Commerce & Human Resources |
| <u>S1290</u> | Firefighters, medical exams | 02/12/2018 Senate - Reported Printed; referred to Commerce & Human Resources |
| <u>S1296</u> | Mental disabilities | 02/28/2018 House - Read First Time, Referred to Health & Welfare |
| <u>S1302</u> | Insurance, organ donation | 02/28/2018 House - Read First Time, Referred to Business |
| <u>S1310</u> | Emergency med. services, standards | 02/23/2018 House - Read First Time, Referred to Health & Welfare |
| <u>S1311</u> | Direct primary care pilot | 02/23/2018 House - Read First Time, Referred to Health & Welfare |
| <u>S1312</u> | Individuals with disabilities | 02/13/2018 Senate - Reported Printed; referred to Health & Welfare |
| <u>SCR129</u> | Self-sufficient families | 03/02/2018 House - Read second time; Filed for Third Reading |
| <u>SCR131</u> | Cytomegalovirus awareness month | 03/02/2018 House - Read second time; Filed for Third Reading |
| <u>SCR133</u> | Fish and game, | 02/21/2018 House - Read First Time, Referred to |

| | rule rejection | Resources & Conservation |
|------------------------|-------------------------------|--|
| SCR135 | EMS, volunteers | 02/22/2018 House - Read First Time, Referred to Health & Welfare |
| SCR136 | Social work month | 03/02/2018 House - Read second time; Filed for Third Reading |
| SCR140 | State hospital south, nursing | 03/02/2018 Senate - Reported out of Committee with Do Pass Recommendation; to 10th order; held one legislative day |