



Legislative Update: Week 13

Good evening, Public Health Champions!

Hi all! Welcome to the week 13 recap of the legislative session. If you're just joining us, my name is Maija Baehr and I'm the policy intern for the IPHA and ICA this session.

Also, Hi! I feel like we haven't talked in a while. But, because this is officially the longest legislative session since 2009, I'm not sure I'm going anywhere anytime soon. Sorry, guys, you're stuck with me!

With that, let's dive in to what happened during week 13.



3 Major Headlines from Last Week

1. [SB 1204aa,aaH](#) (Read: Senate Bill 1204 as amended, as amended in the House, also nicknamed the Medicaid Expansion “sideboards” bill) passed in the Senate Friday afternoon. More on what the amendments are and how we got to this version of the bill below.
2. Governor Little [vetoed SB 1159](#) and it's trailer, HB 296 (the initiative restricting bills). His office made the announcement mid-day Friday, posting a letter to the Governor's website [explaining his rationale for the veto](#).
3. Representative Gayann DeMordaunt (R., Eagle) introduced [two Routing Slips](#) affecting some hospitals in the State in the House Revenue & Taxation Committee. Both were introduced as HB 298 & HB 299.
 1. [HB 298 “Medicaid Expansion Fund”](#) repeals the sales tax exemption for all hospitals except Critical Access Hospitals (CAHs). Revenue generated from taxable goods purchased by hospitals would be deposited into a newly created Medicaid Expansion Dedicated Fund. Referred to House Rev and Tax Committee; no hearing scheduled.
 2. [HB 299 “Hospital Assessment, Medicaid”](#) changes the maximum hospital assessment rate and “more clearly defines” how the assessment would be distributed. A portion of the revenue generated would also be deposited into the new Medicaid Expansion Dedicated Fund. In House Health and Welfare but no hearing yet (if at all).

What to Expect Week 14

As for the upcoming week, the Legislature is currently hung up on resolving Medicaid expansion & a few other loose ends. Because many were anticipating the session would be done by now, nobody wants to count their chickens before they hatch any longer and the general mood around the Capitol seems to be 'who knows... it could be over early next week, or could drag on.'

Here's what's coming up tomorrow, Monday April 8th:

9:30 am - Senate will Convene

They currently have 4 bills on the Second Reading, and one on Third Reading. [Calendar here](#).

10:00 am - House will Convene

They have a few more bills on both the Second & Third Reading calendars, as well as two bills - SB 1195, "Collection Agencies" and SB 1205, "Administrative Rules" going to General Orders. [Calendar here](#).

11:00 am - House State Affairs Committee Meeting

Rep. Harris (R., Eagle) will present something related to "Voter Initiative" in the State Affairs Committee. There's no RS# on the [agenda](#) and it seems most legislators and Capitol reporters are just as confused as you are. Tune in to [EW 40 at 11:00](#) to hear what it's all about.

1:30 pm - JFAC Budget Hearing for [SB1204aa,aaH](#)

What originally began as Sen. Martin's (R., Meridian) "compromise" bill has now gone through a series of amendments in both the Senate and House. Here is the latest version, [Engrossment 2](#), which passed in the Senate just this last Friday, April 5th.

Because quite a bit has happened this session re: Medicaid expansion, to refresh your memory, here's a timeline of the major events that have happened since January:

February 6 - the Idaho State Supreme Court upheld Medicaid expansion and dismissed the lawsuit filed by the Idaho Freedom Foundation at the end of last year. Legislators were waiting for the official decision to introduce any draft legislation on Medicaid expansion, so with the Supreme Court's decision, it opened the door to introduce "sideboard" proposals.

February 11 - Sen. Souza (R., Coeur d'Alene) introduced SB 1100 to add an optional workforce development training program and other sideboards. It was never given a hearing by Chairman Martin.

February 21 - Rep. John Green (R., Post Falls) introduced two separate bills to fully repeal Medicaid expansion. Neither passed out of committee. The 7 House members who voted against both of Green's proposed bills were: Gibbs, Lickley, Wagoner, Wood, Rubel, Chew, & Davis.

February 27 - JFAC voted unanimously to fund the Medicaid expansion budget for FY 2019-2020. After JFAC approved, the bill still needed to be passed by both the House & Senate (via floor vote).

March 4 - Rep. Vander Woude (R., Nampa) introduced HB 228, the first Medicaid sideboard legislation introduced in the House. It never received a full hearing by House Health and Welfare Chairman Wood (R., Burley).

March 4 was also the "**Transmittal Date**" set by the legislature to keep them on track. This brought up questions of rule breaking, as legislation was still being introduced after this date. In case you missed it, you can [read about the transmittal date debate here](#).

March 6 - Rep. VanderWoude introduced a second Medicaid Expansion sideboards bill, [HB 249](#).

March 8 - House Health and Welfare Committee held a hearing in the Lincoln Auditorium on Vander Woude's HB 249. The testimony was overwhelmingly in opposition but the committee took no further action on the bill.

March 13 - Senate passed the FY 2020 Medicaid budget with 19 "ayes."

March 18 - After two failed attempts with HB 228 & HB 249, Rep. Vander Woude introduced HB 277, another Medicaid sideboards bill similar to HB 249. [Here's a quick breakdown](#) of the differences between the original 249 & revised HB 277 written by Betsy Russell.

March 20 - HB 277 had a hearing before the House Health & Welfare Committee in the [Lincoln Auditorium](#). The committee voted to send HB 277 to the House floor by a voice vote.

March 20 - While Vander Woude was gaining attention in the House, Senator Fred Martin (R., Meridian) introduced SB 1204, the [Medicaid expansion "compromise" bill](#), that included *work promotion*, not work requirements.

March 21 - HB 277 passed the House [45-25](#). In addition to all the Democrats, House Republicans voting against the bill were Abernathy, Amador, Anderson, Gibbs, Goesling, Kauffman, Kingsley, Lickley, Raybould, Troy, Wagoner, Wood. Next stop - the Senate.

March 21 - SB 1204 had a hearing in the Senate Health & Welfare committee [where it passed 5-4](#) and was sent to the floor with a "do-pass" recommendation. It was clear in

this committee meeting that some conservative legislators were partial to HB 277, thus, did not support the optional “work promotion” program outlined in Martin’s SB 1204.

March 26 - SB 1204 was sent to the Senate's 14th Order for amendments.

March 27 - Elsewhere in the Senate, Rep. Vander Woude’s HB 277 had its hearing in the Health & Welfare Committee. If you have time, I think this is a fascinating meeting of testimony to listen to ([click here](#) to download audio/video); this was the meeting when, in the middle of testimony calling into question the impact of work requirements tied to Medicaid, it was announced that a Federal judge had struck down Kentucky’s and Arkansas’ work requirements programs. The bill did not make it out of committee that afternoon.

April 1 - The Senate, acting as a Committee of the Whole, took up SB 1204 and attached multiple amendments, all of which imposed restrictions equal to or more severe than HB 277.

From here, Medicaid sideboards were wholly dependent on SB 1204 passing. After passing the Senate in its amended form 20-15 on April 2, it went to the House where it was amended further on the House floor on April 4th. It passed the House 49-20 the afternoon of April 4th. Because the bill had been amended by both the Senate and the House, all the Senate could do was either concur with the House’s amendments or not concur.

Senate Health & Welfare Committee was given just under an hour to reach a decision on concurrence before they needed to take it up on the Senate floor. No public testimony was allowed in committee Friday morning, but the debate was still quite lively between the Senators. The Senate Health & Welfare Committee voted 5-4 to not concur with the House amendments. It was sent to the 10th Order and passed later Friday afternoon, April 5, 19-16.

See SB 1204's full bill timeline here:

<https://legislature.idaho.gov/sessioninfo/2019/legislation/S1204/>.

Now, why include the timeline in this week’s update? It may not be necessary for those of you who have been able to frequently visit the Capitol or follow along online, but **these details are critical for context**, particularly as we look to the future.

As Deborah Stone wrote in her book *Policy Paradox*, “*facts don't exist independent of interpretive lenses. For starters, they come clothed in words, and words, as we know, are loaded.*”

Petitioning, canvassing, testifying, calling, emailing, and tweeting *are* facts, but it’s critical to remember facts will still be filtered through others’ perception of those same events. The facts that led to proposition 2 passing, and the facts that led to

SB1204aa,aaH will continue to be debated as Medicaid expansion programs are implemented and monitored.

Events Coming Up

April 25 – 27, 2019: Idaho Integrated Behavioral Health Network 2nd Annual Conference. This conference is focused on systems transformation to increase access and improve the quality of behavioral health services in Idaho. Register before February 28th to receive 25% off. Click [here](#) for more information and registration.

April 27, 2019: Navigating Longevity Conference, YMCA, Ketchum; sponsored by Senior Connection in Hailey, Idaho; for more info, contact Teresa Beahen Lipman (teresa@seniorconnectionidaho.org) or Ramona Duke (ramona@seniorconnectionidaho.org) or 208-788-3468

May 1 & 2, 2019: Northwest Regional Transformational Collaborative Outcomes Management (TCOM) Conference. This year's theme is "Setting the Stage: Creating a Shared Vision to Support Transformation". For more information, click [here](#).

June 13, 2019: JAVA Elder Abuse Summit, BSU; Keynote speaker: Page Ulrey, King County (Washington) Prosecutor; for more info, contact Mary Holden (maryholden@boisestate.edu) or 208-850-4771.

June 2019: Join the Northwest Addiction Technology Transfer Center (ATTC) for an 8-session virtual learning collaborative focused on Motivational Interviewing Skills. The next session will be in June! To learn more about the Northwest ATTC, click [here](#).

Nov. 7-8, 2019: 2019 Western Partnerships Conference on Human Services (formerly the Idaho Partnerships Conference on Human Services), Boise Centre on the Grove; for more info, contact Bibiana Nertney, Community Partnerships of Idaho, (Bibiana.nertney@mycpid.com) or 208-376-4999; If you are interested in submitting a proposal, or know a wonderful presenter please find more information on the web site at <https://idahopchs.com/2019-call-presentations/>.

As always, please let me know if your organization has any important legislative action or event coming up you'd like included.

Best of Health,
Maija

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