

2012 Idaho legislature

Week in Review

February 10th, 2012

As the rule review process comes to an end, bills are beginning to move more rapidly through committee and to the floor of the House and Senate for votes. This week the House rejected a rule by the Department of Health and Welfare that would allow Medicaid to cover antismoking interventions for pregnant women and children. Those who voted to reject the rule expressed concerns about increased suicide risk with some smoking cessation products and also opposition to Federal mandates. Issues not directly related to public health have captured attention in the State House more prominently, with no significant progress being made on Health care Exchange or Tobacco Tax legislation.

Overall, the revenue picture is optimistic with tax revenues coming in 6.3 million above projections last month. The [“Add the Words” campaign](#) was disappointed when the Senate State Affairs Committee rejected a print hearing strictly along party lines without discussion. The campaign has been advocating for a print hearing to create a bill to add sexual orientation and gender identity to the Idaho Human Rights Act. Although the issue has been introduced every year for the past six years, it has never receiving a hearing. Additionally, [HB464, The Oil and Gas Development Bill](#) unanimously passed the House Resources Committee (16-0). The decision came after hours of testimony that strongly opposed the bill. The level of local involvement and oversight was a major concern for those offering testimony.

New bills have been introduced related to health. [HB423 Small Employer Health Insurance Availability Act](#) clarifies standards for small employer and individual health insurance rates and stipulates that immunization assessments should not be considered for purposes of risk calculation. Essentially because most of the information sent to the Department of Insurance regarding small employer and individual health insurance is considered proprietary, this legislation will clarify competing federal and state laws regarding public disclosure.

Two bills directed at containing county health care costs were introduced. [HB441 Indigent Health Care](#) provides authority to county commissioners and Catastrophic Board members to issue payment for alternative programs in order to control healthcare costs. Alternative programs include paying for insurance premiums for indigent individuals, preventative care programs and case management. These programs have a projected savings of \$3.7 million in state general funds. [HB487 Mental Health Commitment](#) was also introduced in order to address Medicaid reimbursement rate codes.

[HB486 Minors, Phototherapy and Tanning Device](#) legislation is intended to address the rising epidemic of skin cancer and dermatologic health related issues by banning the use of tanning beds by minors under the age of 18. Violation of the bill could be a misdemeanor and a \$500 fine. Lastly, the [SB1249 Medical Consent and Natural Death Act](#) revises provisions of the act to address individual with

mental illness and developmental disabilities. The bill also clarifies the Physician Orders for Scope of Treatment (POST) form and adds nurse practitioners and physician assistants as providers authorized to sign the form.

The House has passed the [HB405 Electronic Cigarettes](#), regulating the sale of this product to minors. The legislation is now in the Senate State Affairs Committee.

Two bills that have potential implications for food safety were heard in committees in the House. [HB431 Idaho Farm Freedom Act](#) would exempt from licensing and certification food sold at farmers markets, roadside stands, and directly to consumers. In a separate action, a “RS” by Rep. Barbieri that would have eased the rules on the sale of raw milk was not printed by the House Agriculture Committee, which stopped the progress of this legislation.