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## Week 4

*February 4, 2018*

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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](mailto:pragnanaidoo.policyintern@gmail.com).

### **Bill Highlight: The Idaho Health Care Plan**

#### *New Version of the Idaho Health Care Plan*

This week, the Departments of Insurance and Health and Welfare introduced a new Idaho Health Care Plan proposal to replace [H338](#), the Dual Waiver Plan that included both an §1115 waiver by DHW and a §1332 waiver by the Department of Insurance. (Information on that plan can be found on the [Idaho Health Care Plan Fact Sheet](#), courtesy of *Close the Gap Idaho*.)

The new plan, [H464](#), includes a requirement that Health and Welfare apply for a second §1115 waiver imposing work requirements on non-disabled Medicaid recipients (making this a Triple Waiver Proposal). This can also apply to adults with disabilities whose disability is not a barrier to employment. The federal Center for Medicaid and Medicare Services (CMS) has issued written guidance advising states seeking a waiver to allow work requirements that it must comply with the ADA and §504 of the Rehabilitation Act. Lori Wolf, who presented on behalf of the Department acknowledged that the disability exemption must be broader than the SSI and SSDI standards. She hinted that it might be no more than having a doctor certify a barrier to work. According to Russ Barron, Idaho Health & Welfare Director, they are "hearing from certain members of the Legislature" that these work requirements are necessary.

Even if the disability exemption is handled well, it will be one more time that people with disabilities have to prove that their disability is severe enough for them to be worthy of Medicaid benefits. Disability and health care advocacy groups are still analyzing the potential impact of this Triple Waiver proposal.

For deeper insight into action surrounding this bill, visit Betsy Z Russell's article in the Spokesman-Review [here](#).

Meanwhile, earlier this session, Sen. Maryanne Jordan introduced an alternative. [SB1224](#) directs the Department of Health and Welfare to change their definition of Medicaid eligibility to include all individuals whose income is below 138% of the Federal Poverty level. The purpose of this legislation is to provide access to medical care for approximately 78,000 Idahoans, most of whom are employed in full time work but earn too little to obtain health insurance on Your Health Idaho, the state-based health insurance exchange. This bill remains in the Senate Health and Welfare Committee.

### **Health and Welfare Corner**

#### *Spotlight on Hospitals and Family Caregivers*

AARP Idaho has introduced legislation to implement support for family caregivers in terms of requiring hospitals to ask if a patient wants to designate an unpaid caregiver upon admission to a hospital, to notify the designated caregiver when the patient will be discharged or transferred, and to provide the designated caregiver with instructions for medical/nursing tasks that the caregiver will need to perform at home. Sen. Lee Heider (R-24) is the sponsor of the bill. The Patient Caregiver Support Act, SB1262, is tentatively scheduled to be heard on Thursday, February 8 in the Senate Health and Welfare Committee which meets at 3:00 p.m. in Room WW54. Access full bill text [here](#).

#### *Spotlight on Abortion*

An Idaho Senate panel has introduced legislation requiring Idaho to provide information to women that medication-induced abortions can be halted after taking one of two pills. If passed, women would be given a list of providers who can offer consultations about medical abortion interventions or reversals. Supporters claim that doctors can give a woman progesterone to stop an abortion following the first two medications required to complete an abortion. However, the American Congress of Obstetricians and Gynecologists has refuted this statement by claiming there is no medically accepted evidence that drug-induced abortion can be interrupted. The [bill](#) (SB1243) goes on to a full hearing now.

### **Tobacco 21**

The advocacy group has returned to the Statehouse this year in support of a bill designed to raise Idaho's smoking age from 18 to 21. Tobacco 21 introduced legislation last year, but the bill failed to make it out of committee. The legislation, SB1255, was introduced Wednesday and sponsored by Sen. Fred Martin, R - Boise. The intended purpose is to make it more difficult for minors and young adults to take up smoking or tobacco use. Martin believes "this would have a very positive effect on Idaho." For further detail, see [here](#).

### **Advocacy Days**

February 8: AARP Idaho, details [here](#)

February 22: Idaho Alzheimer's Association Advocacy Day, details [here](#)

### **National Public Health**

### Spotlight on Act on Alzheimer's

In Minnesota, about 92,000 older adults suffer from Alzheimer's (the most common form of dementia). "People are passionate about this issue because they've lived it or have been close to it," says Dawn Simpson, executive director of the Metropolitan Area Agency on Aging. Act on Alzheimer's is a Minnesota statewide collaborative aiming to make communities more accessible to people with dementia and their caregivers. Through this group and the nonprofit FamilyMeans, volunteers around the state train businesses how to interact with people with dementia and host support groups for caregivers. To read more about this initiative, access further information [here](#).

### To Watch

There are medical and scientific studies promoting breastfeeding as highly beneficial to infant development and health. Idaho is the only state that provides no legal protections for breastfeeding mothers. Rep. Paul Amador, R - Coeur d'Alene introduced [Amador's Bill](#) on Monday; the legislation will exempt breastfeeding mothers from Idaho's indecent exposure law. Rep. Bonnie Douglas, D - Coeur d'Alene, proposed similar legislation to protect breastfeeding mothers in 2003, though the bill did not pass. The House Judiciary Committee voted unanimously to clear the way for a full hearing on Amador's bill.

### 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 No	Description	Last Action
<a href="#">H0335</a>	Employment, taxable wage rates	01/31/2018 House - Reported Signed by Governor on January 31, 2018
<a href="#">H0336</a>	Medicaid, nursing facilities	01/17/2018 House - Reported Printed and Referred to Health & Welfare
<a href="#">H0337</a>	Behavioral health, council, boards	02/01/2018 House - U.C. to hold place on third reading calendar one legislative day
<a href="#">H0338</a>	Health care, insurance, assistance	01/17/2018 House - Reported Printed and Referred to Health & Welfare
<a href="#">H0339</a>	Pharmacy, drug substitutions	02/01/2018 Senate - Introduced, read first time; referred to: Health & Welfare
<a href="#">H0340</a>	Controlled substances	02/01/2018 Senate - Introduced, read first time;

		referred to: Health & Welfare
<a href="#">H034</a> <a href="#">1</a>	Tobacco, retailers fee	01/17/2018 House - Reported Printed and Referred to Health & Welfare
<a href="#">H034</a> <a href="#">2</a>	Hospitalization, mentally ill	01/17/2018 House - Reported Printed and Referred to Health & Welfare
<a href="#">H034</a> <a href="#">3</a>	Dentistry, dental specialists	02/01/2018 Senate - Introduced, read first time; referred to: Health & Welfare
<a href="#">H034</a> <a href="#">4</a>	Dental hygienists, access settings	02/01/2018 Senate - Introduced, read first time; referred to: Health & Welfare
<a href="#">H034</a> <a href="#">5</a>	Dentistry, convictions	02/01/2018 Senate - Introduced, read first time; referred to: Health & Welfare
<a href="#">H034</a> <a href="#">6</a>	Board of dentistry, compensation	02/01/2018 Senate - Introduced, read first time; referred to: Health & Welfare
<a href="#">H034</a> <a href="#">7</a>	Ombudsman for elderly, reporting	02/01/2018 House - Read second time; Filed for Third Reading
<a href="#">H034</a> <a href="#">8</a>	Board of acupuncture, honorarium	02/01/2018 Senate - Introduced, read first time; referred to: Commerce & Human Resources
<a href="#">H034</a> <a href="#">9</a>	Occupational therapists	02/01/2018 Senate - Introduced, read first time; referred to: Commerce & Human Resources
<a href="#">H035</a> <a href="#">0</a>	Counselors and therapists	02/01/2018 Senate - Introduced, read first time; referred to: Commerce & Human Resources
<a href="#">H035</a> <a href="#">1</a>	Pharmacy, licensing and registration	02/01/2018 Senate - Introduced, read first time; referred to: Health & Welfare
<a href="#">H035</a> <a href="#">2</a>	Occupational licensing, physicians	01/30/2018 Senate - Introduced, read first time; referred to: Health & Welfare
<a href="#">H035</a> <a href="#">3</a>	Volunteer health care providers	01/30/2018 Senate - Introduced, read first time;

		referred to: Health & Welfare
<a href="#">H0354</a>	Opioid antagonists, filing	01/30/2018 Senate - Introduced, read first time; referred to: Health & Welfare
<a href="#">H0393</a>	Insurance, immunization board	02/01/2018 House - Read second time; Filed for Third Reading
<a href="#">H0398</a>	Mental health, conversion therapy	01/25/2018 House - Reported Printed and Referred to Ways & Means
<a href="#">H0409</a>	Nursing home administrators	01/26/2018 House - Reported Printed and Referred to Health & Welfare
<a href="#">H0410</a>	Cannabidiol oil	01/26/2018 House - Reported Printed and Referred to Health & Welfare
<a href="#">H0414</a>	Sex education	01/26/2018 House - Reported Printed and Referred to Education
<a href="#">H0431</a>	Medical directors, classification	01/29/2018 House - Reported Printed and Referred to Commerce & Human Resources
<a href="#">H0448</a>	Breastfeeding exempt, obscenity	01/31/2018 House - Reported Printed and Referred to Judiciary, Rules & Administration
<a href="#">H0464</a>	Health care, waiver	01/31/2018 House - Reported Printed and Referred to Health & Welfare
<a href="#">H0465</a>	Medicaid, dental services	01/31/2018 House - Reported Printed and Referred to Health & Welfare
<a href="#">H0475</a>	Approp, H&W mental hlth, Chg	02/01/2018 House - Introduced, read first time, referred to JRA for Printing
<a href="#">HCR036</a>	Childhood cancer, DIPG	02/01/2018 House - Reported Printed and Referred to Health & Welfare
<a href="#">S1219</a>	Health insurance, waiver	01/22/2018 Senate - Reported Printed; referred to Commerce & Human Resources
<a href="#">S122</a>	Insurance, living donors	01/22/2018 Senate -

<u>3</u>		Reported Printed; referred to Commerce & Human Resources
<u>S122</u> <u>4</u>	Medicaid expansion	01/22/2018 Senate - Reported Printed; referred to Health & Welfare
<u>S122</u> <u>7</u>	Immunizations, exemptions	01/25/2018 Senate - Reported Printed; referred to Health & Welfare
<u>S124</u> <u>3</u>	Abortion, posting information	01/30/2018 Senate - Reported Printed; referred to State Affairs
<u>S126</u> <u>2</u>	Patient caregiver support act	02/02/2018 Senate - Reported Printed; referred to Health & Welfare
<u>S125</u> <u>5</u>	Tobacco, age of possession	02/01/2018 Senate - Reported Printed; referred to State Affairs