



Legislative Update - Week 2: Corrections and Updates!

1/18/2021 - 1/22/2021



Greetings Members of Idaho Public Health Association (IPHA) and Idaho Family Caregiver Alliance (ICA)!

My name is Piper Traywick and I am the new IPHA/ICA legislative intern for the 2020 session. Throughout this session, I'll be writing a weekly newsletter for you through the IPHA and ICA. My weekly goal is to provide you details on key legislative activities, summaries, and resources that will be helpful to you in your endeavors. Please contact me if you have any questions, comments, or suggestions regarding legislative updates, pipertraywick@u.boistestate.edu.

To help you keep track of the legislative process, you can purchase a Legislative Directory at the Statehouse or you can print your legislative directory [here](#).





Balance of Power at the Statehouse

At a time when Coronavirus cases are continuing to surge in Idaho, legislators have introduced eight pieces of legislation that would end Governor Little's emergency restrictions. These actions taken by Republican leadership represent a coordinated effort to limit the Governor's power in times of emergency as well as lift COVID-19 restrictions. The eight pieces of legislation seek to limit what the Governor can do during emergencies, distinguish between an emergency declaration and 'extreme peril', end declaration of emergency due to COVID-19, grant legislators the ability to call special sessions, lift restrictions on gatherings larger than 10, allow for a negatively impacted party to challenge District Board of Health actions with a review panel, and restrict the application of public health ordinances to city limits. See the Bill Tracker below for more.

COVID 19

In the midst of Coronavirus, Idaho is currently facing a crisis level shortage of direct care workers. On Monday, January 25th at 11 am, both The House and The Senate heard bills that would end the state declaration of emergency and substantially impact direct care by jeopardizing federal funding. Additionally, Matt Wimmer, Administrator of the Division of Medicaid, introduced RS28101 to the Senate Health and Welfare Committee, which would have given the Department of Health and Welfare the power to decrease Medicaid reimbursement rates without legislative review or oversight. It did not print.

State Response to Alzheimer's and Related Dementias

According to a recent report by the Office of Performance Evaluation, there has been little progress made on implementing the 2013 Alzheimer's plan, although it is a leading cause of death in Idaho. This is due, in part, to the fact that there is currently no entity responsible for addressing Alzheimer's and related dementia in Idaho. The report recommends that the Legislature should consider establishing a system-wide oversight entity to improve collaboration and to ensure ongoing accountability for outcomes, and recommends that the state should establish an ongoing position in the Division of Public Health to develop prevention efforts, help drive the dementia task force, and improve service coordination. Read the full report [here](#).

Limits on Drugs in the Idaho Constitution

Sen. C. Scott Grow (R-Eagle) has proposed a SJR101 which would amend the Idaho Constitution to prohibit the production, manufacture, transportation, sale, delivery, dispensing, distribution, possession, or use of certain psychoactive drugs. This is due, in part, to the increasing number of states who permit the use of marijuana for medical purposes or recreational use or both. All of the states surrounding Idaho (except Nevada) allow for the recreational use of marijuana and Utah permits its use for medical purposes. The resolution has been criticized for including language that cites sections of Idaho Code that could subsequently be changed. If approved, the resolution would place the limitations on the ballot in November where it would have to be approved by a 2/3 majority of voters. The resolution is currently in Senate State Affairs.

A Closer Look at the State Surplus

According to a recent analysis done by the Center for Fiscal Policy, the state revenue surplus stands at \$277 million, as opposed to the widely reported \$587 million. Last year, Governor Little issued a 5% holdback which resulted in \$98.7 million in cuts to K-12 schools and \$96.5 million to other public services. A 1 percent holdback issued in March of 2020 resulted in another \$19 million in cuts to K-12 schools as well as \$16.6 million in pay freezes for state employees, and a general hiring freeze. While all these cuts add up to \$248 million, that is only if they are approved by state legislators.

As far as Medicaid is concerned, Idaho received federal funding from an increase in the Federal Medical Assistance Percentage (FMAP). This was put into place to cover increases in enrollment as a result of the economic downturn associated with the pandemic. Currently, permanently moving short-term savings out of Medicaid is under consideration, which could compromise access to healthcare in the midst of trying to get COVID-19 under control. The cost would be \$89 million.

So with budget cuts and holdbacks accounted for, the unexpected money from federal income support boosted spending, resulting in \$277 million in available funds to support long-term economic growth in Idaho.

Making Your Voice Heard

Idaho has an open legislative process and will be allowing remote testimony. All participants must fill out a registration form, but registering does not guarantee the opportunity to testify. More information [here](#).

To follow the deliberations in a committee and sign up to testify, you must do so in advance of the meeting. Here are the steps you can follow online:

- Go to the Idaho Legislative Website: legislature.idaho.gov
- Click on Committees
- Choose between Senate Standing Committees or House Standing Committees
- From the alphabetical list of committees, scroll down to the one you want and click on it
- Scroll down to the next meeting date; click on the PDF next to the agenda
- Scroll down to the bottom of the agenda, right above the list of committee members
- Click on the **Register to Testify** button
- Requirements for testifying:
 - First and last name
 - Email and physical address
 - What organization you are representing, if any
 - Whether you are “for” or “against” a bill
 - Written copy of your testimony
- Select date to testify and click on **Register to Testify**
- This will take you to a form that you complete with the information listed above, then click on the blue **Register** button

Please also note:

- If the meeting is over, you will get the following message: Webinar is over, you cannot register now. If you have questions, please contact webinar host: click on the link here to the committee secretary
- If you have difficulty registering, email: RemoteTestimony@Iso.idaho.gov
- If the committee is simply hearing a presentation and there is no legislation or rules to consider, there will be no registration link at the bottom of the agenda; the agenda may have a link that directs you to the live streaming on the IPTV page
- These instructions do not apply to the Senate Finance or House Appropriations Committees; they meet jointly every morning and do not take public testimony

Federal Updates



Inauguration

On January 20th, 2021 President Joe Biden delivered his inaugural address to a masked and socially distanced crowd at the United States Capitol. The president stressed the need for healing and unity, but he also made it abundantly clear that while being truly tested, the cause of democracy had prevailed. He emphasized that we should be optimistic about the nation we must become, and also for the strength and resilience of the American people. We have witnessed the fragility of democracy, and few periods in our nation's history have been as challenging. In this historic moment of crisis, we must move forward together, as disagreement must not lead to disunion. Collectively we answered the call of history, and hope, truth, and justice did not die on our watch.

Of particular interest to caregivers is the platform that President Biden has developed outlining his recognition of caregivers and his intention to support them in his administration. The President has been a caregiver, taking care of his parents and being a single parent caring for young sons after the death of his first wife and daughter. That is some of the impetus behind the Biden Plan for Mobilizing American Talent and Heart to Create a 21st Century Caregiving and Education Workforce. You can read more information about this plan [here](#).

Presidential Executive Orders

In his first three days in office, President Biden signed 30 executive orders, ten of which directly reverse policies implemented by the Trump administration. A few that are particularly noteworthy are rejoining the Paris climate accord, canceling the Keystone XL pipeline, stopping the U.S withdrawal from the World Health Organization, eliminating the travel ban from seven Muslim-majority countries, and halting construction of the border wall. Additionally, 14 of the executive orders pertained directly to Coronavirus, including establishing a Pandemic Testing Board to expand testing capacity as well as accelerating the manufacturing and delivery of supplies for vaccination and Personal Protective Equipment.

Bill Tracker

Do you have any specific Bills you would like to be tracked throughout the session? If so, please reach out and I will gladly track them through this weekly update. You can also view current bills [here](#).

Bill No	Description	Last Action

S1003	Renames extreme emergencies as extreme peril. It limits the application to human caused conditions. It prohibits restrictions on the right to work. It limits the duration of extreme peril declarations and provides conditions for their extension. It prohibits limiting or suspending the rights of the citizens. It prohibits alterations, adjustments, or suspension of statutes by the Governor.	1/14 in Senate State Affairs Committee
S1030	Amend Section 46-1005A by inserting language allowing for the recovery of Federal Funds after a Declaration of State Emergency has expired or was terminated. To provide language to allow the Legislature by concurrent resolution to approve the Governor's request to exceed one percent (1%) of the annual appropriation of general fund moneys being transferred to the disaster emergency account.	1/25, Reported Printed; referred to State Affairs
S1031	Amends existing law to provide that freedom from discrimination because of sexual orientation or gender identity is a civil right.	1/22 sent to Print
H0001	Amends existing law to revise provisions regarding the Governor's powers during a disaster emergency and to provide that the Governor may not alter, adjust, or suspend any provision of Idaho Code.	1/14 in House State Affairs Committee (replaced by H0016)
H0003	The Reasonable Childhood Independence Act; Amends existing law to revise the definition of "neglected" in child protection law.	1/19 in House Judiciary and Rules Committee
H0004	Further defines Idaho's Parental Rights statutes to state that an emergency order, disaster declaration, etc. cannot be deemed a compelling government interest that would allow abridgement of parental rights as described in 32-1013 .	1/15 Reported Printed and Referred to Judiciary, Rules, & Administration

H0016	Amends existing law to revise provisions regarding the governor's powers during a disaster emergency and to provide that the governor may not alter, adjust, or suspend any provision of the Idaho Code. More stringent than H0001.	1/22, on Second Reading in the House
H0017	Prohibits public contracting or participating in any commercial transaction with any abortion provider.	1/22, in House State Affairs Committee
H0020	Amends existing law to provide for a standard medical cost deduction from the income of an applicant for circuit breaker property tax reduction	1/22, in House Revenue and Taxation Committee
H0033	Allows for the review of District Board of Health actions, decisions or orders by the appropriate board of county commissioners upon the request of an adversely affected party. First and second public health violations are reduced to infractions with fines no higher than \$50 for individuals and \$300 for associations or corporations. The Director of Health & Welfare will also be limited to 30 days of enforcement on orders of isolation or quarantine. Any extensions of such orders must be approved by either the county or the city in which the orders are issued.	1/25, Introduced, read first time, referred to JRA for Printing
H0034	Amends existing law to limit the application of health ordinances to city limits.	1/25, Introduced, read first time, referred to JRA for Printing
H0038	clarifies the requirements necessary for prescribing medication via telehealth, expanding beyond the current limitations of the act. This is in alignment with the allowances made during the COVID-19 pandemic response.	1/25, Introduced, read first time, referred to JRA for Printing
HCR001	Provides that the state of disaster emergency declared by the Governor is now ended.	1/14, in House State Affairs Committee

HCR002	Lifts the restriction on groups of 10 or more under the Governor's Emergency Declaration.	Passed House 55-15 on 1/25
SCR101	This concurrent resolution would immediately terminate the COVID-19 emergency orders issued by the Governor while maintaining those declarations necessary to keep federal funding available for Idaho's military, first responders, health care providers, and communities.	Held until Wednesday for a vote in the Senate
SJR101	Proposes an amendment to the Idaho Constitution prohibiting the production, manufacture, transportation, sale, delivery, dispensing, distribution, possession, or use of certain psychoactive drugs.	Reported Printed; referred to State Affairs

Upcoming Events and Advocacy Days



Click [here](#) to register

Alzheimer's Association Virtual Advocacy Day

February 1-5, 2021

Sign up [here!](#)

We are increasing opportunities to connect with legislators from the comfort of your home all week long. **Please join us for this impactful advocacy opportunity!** In Idaho, numerous state agencies administer a variety of programs critical to people living with dementia. However, these efforts are often siloed, with multiple state agencies working separately from one another. A state dementia coordinator would provide a comprehensive and coordinated approach to addressing Alzheimer's and other dementias. Please join us in asking that the Idaho State Legislature take the necessary steps needed to establish a system-wide oversight entity and create a permanent dementia coordinator position.

AARP Idaho Virtual Lobby Week**Join us for a fun week of action!****February 8th - 12th**

Every year, AARP Idaho brings more than 100 volunteers, like you, to the Idaho Capitol to talk to lawmakers about issues impacting Idahoans 50 and older. This year will be different. We are going virtual! With this opportunity, we are extending the event to a full week of action and fun. We are inviting people from across the state to join us from their home. Best yet, we have free AARP Idaho swag for the first 400 people who register! You can expect the package to be sent directly to your address in March. We will use our voices to:

- Keep Idahoans from losing their homes by updating the Property Tax Reduction
- Provide funding for Alzheimer's prevention efforts and service coordination
- Secure a retirement savings program for those without access to one at work

Consortium of Idahoans with Disabilities (CID)**Fred Riggers Disability Awareness Day 2021 Virtual Campaign
January 26 - March 31, 2021**

Fred Riggers Disability Day will not happen as traditionally it does at the State Capitol. Due to Covid-19, CID will use various social media platforms to promote the agenda. The campaign will focus on educating citizens about civil engagement strategies, providing useful tools for personal advocacy, strategies to inform legislators on disability related issues and resources and celebrating Idaho advocates in the disability movement.

**More information coming soon! Stay up to date on the
CID [Website](#) or [Facebook](#).**
