

2018 IDAHO LEGISLATURE

UPDATE

Week 2

January 15, 2018 through January 19, 2018

Michael McGrane, RN, MSN

Agency Rules continue to be heard daily in the House and Senate Health & Welfare Committees. Once approved by both committees, rules become effective at the end of the Legislative Session unless they contain an emergency provision which makes them effective immediately.

The second phase of the Legislature is the introduction of Bills. Bills are first introduced in what are called Print Hearings. At these hearings, there is no discussion on the merits of the bill, only approval or denial to have the bill printed for consideration. Bill hearings will occur, first in committees, then in each chamber throughout the remainder of the legislative session.

Here are rules and bills of interest that have been introduced this week:

Board of Nursing Administrative Rules

The Board's proposed rules passed the House Health and Welfare Committee on Tuesday and will be heard in the Senate Committee this coming Tuesday.

Process for Issuing a Limited License

Current disciplinary rules for substance use or mental health disorder require a nurse to surrender their "regular" license and be issued a "limited" license for a period of up to five years while being monitored by the Board. The proposed rule streamlines the process to convert a regular license to a limited license.

Adds Qualifications for Non-Clinical Nursing Program Faculty

The rule changes allow non-clinical nursing courses to be taught by non-nurse faculty with appropriate advanced preparation for the content being taught.

Rule Language Update

Language change from "master's degree" and "doctoral degree" to "graduate and post-graduate degree" to align with current academic nomenclature.

Occupational Licensing Exemption for Athletic and Theatrical Events

The Idaho Orthopedic Society introduced a bill to waive Idaho licensure for physicians, physician assistants, and athletic trainers from other states who come to Idaho for brief periods to provide medical care during athletic or theatrical events.

Opioid Agonists – Add to Prescription Monitoring Program

Representative Christy Perry of Nampa introduced a bill to add Opioid Agonists such as Narcan to the Prescription Drug Monitoring Program. The program allows prescribers and pharmacists to check prescription histories prior to prescribing controlled substances.

Medicaid – Nursing Facilities

From the Department of Health and Welfare, this is a bill that adds Quality Assessment Program for nursing facility payment under Medicaid.

Dementia and Alzheimer Facilities

This bill introduced by the state Medicaid Program would greatly shorten the process from 18 months to weeks for approval of applications for hospitals, assisted living and nursing facilities to qualify for secure memory care housing.

Hospitalization of Criminal Mentally Ill – Restore to Competency – 30 day notice to 10 day notice

This bill would change the time required for notice by the State Hospitals to Law Enforcement from 30 days to 10 days on release of individuals who had initially been convicted of a crime but deemed incompetent and referred to the State Hospital for restoration of competency.

The Idaho Health Care Plan

This week the Directors of the Department of Insurance and the Department of Health and Welfare presented a bill that would allow the state to apply to the Federal Government for the two waivers which would make the Idaho Health Care Plan possible. The first waiver, the **State Innovation 1332 Waiver**, would allow individuals with incomes under 100% of the federal poverty limit to receive tax credits on premiums to purchase health insurance on the Idaho Health Insurance Exchange. A requirement to file a federal tax return will be incentive for individuals to earn taxable income.

The second waiver, **Medicaid 1115 Waiver**, would allow individuals on private insurance who have medically complex diagnoses to move into the Medicaid program where the cost is shared 70%/30% between the state and the federal government. 2% (approximately 2,500 people) of those covered on the individual insurance market consume 40% (\$200M) of health care costs. By shifting these people out of the individual market into the Medicaid program, it will relieve 40% of the cost and lower premiums by approximately 20% for those remaining in the individual market.

There will be an Information Hearing, this coming Wednesday, January 24th at 9:00 AM in the Lincoln Auditorium at the Capitol. This session is open to the public, but no testimony will be heard.

Then, the following Wednesday, January 29th at 9:00 AM in Room EW-20, the House Health and Welfare Committee will hear the bill to allow the state to proceed with the waiver applications. This hearing is open to the public and testimony will be allowed.

CALL TO ACTION

Children's Health Insurance Program (CHIP)

CHIP provides healthcare coverage for children who do not qualify for Medicaid and whose families have no other insurance. All foster children in Idaho are covered by CHIP. Congress failed to reauthorize funding for CHIP in September 2017. A stop-gap measure extended coverage until the end of March. Congress has had concerns with state using CHIP as a slush fund for other programs. However, this past week the Congressional Budget Office issued a report that demonstrated overall savings.

CHIP reauthorization has now been tagged to the bill to fund the federal government. The most likely proposal will be to extend CHIP funding for six years.

Idaho Senator Crapo and Representative Simpson have been leading discussions on CHIP reauthorization in the Senate and House.

Contact Senator Crapo and Representative Simpson and tell them how important CHIP is to Idaho Children.

Senator Mike Crapo: Kellie_McConnell@crapo.senate.gov

Representative Mike Simpson: James.Neill@house.mail.gov