

Idaho Academy of Family Physicians

2022 Legislative Report

Weeks 3, 4, & 5 January 24 – February 11

First, an apology!

I apologize for not getting this report out the last couple Fridays. I had a couple other issues consume my desk time and fell behind. I am now up to speed and in the groove for the weekly report.

GME Budget presentations

The Joint Finance Appropriations Committee (JFAC) heard budget presentations on the health education programs the week of January 24. As usual, all the presenters from Boise Internal Medicine Residency, Psychiatry Residency, FMRI, University of Utah, and Eastern Idaho medical residencies and WWAMI all did a great job of emphasizing the physician education pipeline.

It is notable that a couple committee members suggested going above the Governor's recommendation of \$729k for 14 new medical residents in an effort to catch up with some underfunding of the ten-year GME plan last year.

The JFAC committee will complete budget presentations in the next two weeks, then will begin their budget-setting process, at which time they will produce a funding bill, through the State Board of Education for these GME programs. We don't expect to see the actual bill(s) emerge for a few more weeks.

Income tax rebate/relief

A \$600 million income tax relief bill was the first to be signed into law this year. Governor Little signed the bill on February 4. The bill will provide an immediate rebate on your 2020 income taxes paid and provide ongoing relief. The rebate will be 12% of the total state income taxes you paid in 2020. This was a high priority for the Governor and Legislative leadership, and moved very quickly.

Below is the list of proposals we are watching for IAFP. I have divided them into categories in an effort to put some order to things and hopefully make it easier for you to find certain topics. As the legislative session progresses I will arrange

each category with those moving through the process at the top and those less likely to advance at the bottom.

MEDICAL PRACTICE – Medical-related topics

items that could affect your medical practice or your patients might ask about, or your patients might benefit from knowing

H 446: Controlled substances, nabiximols, by Rep. Wood, Sen. Martin

This bill exempts nabiximols from the definitions of marijuana and tetrahydrocannabinols under the state’s Uniform Controlled Substance Act. Nabiximols is currently undergoing the FDA approval process and is being studied for use in Multiple Sclerosis and other neurological disorders.

Status: Passed Senate State Affairs on Feb. 18 to full Senate. Had passed full House 65-5 on Feb 1.

H445: Biological Products, storage, by Rep Blanksma

Repeals an outdated section of Idaho law dealing with instructions on storage of certain vaccines.

Status: Awaiting action by full Senate. Had passed House 70 -0 on Jan 31.

S1246: Controlled Substances, by Sen. Wintrow

Aligns Idaho Uniform Controlled Substances Act with changes to the DEA scheduling decisions in 2021. This is an annual procedural bill.

Status: Passed full Senate 32-0 on Feb 7. Currently awaiting hearing in House Health and Welfare committee.

MEDICAL PRACTICE – Business operations

H464: COVID vaccine, workers compensation, by Reps. Monks and Skaug

Clarifies that injuries arising from employer-required vaccines are compensatory under workers compensation law.

Status: returned to committee from the House floor on Feb 8.

S1259: Property Tax, Medicaid Income, by Sen. Wintrow, Rep. Adams

Allows homeowner who runs a Certified Family Home to take advantage of the “Circuit Breaker” property tax program to lower property tax burden

Status: Introduced in Senate Health and Welfare on Feb. 2.

S1270: Down Syndrome, diagnosis information, by Sen. Martin

Adds a new chapter to Idaho law directing any pre-natal or post-natal health care provider who detects or is suspicious of the presence of Trisomy-21 to provide parents with certain information regarding trisomy-21 and contact information for Down Syndrome support organizations. Also requires department of Health and Welfare to post such information on its website.

Status: Introduced in Senate Health and Welfare on Feb 4, awaiting hearing.

S1283: Medicaid, ground emergency transport, by Fire Chiefs Association and Professional Firefighters of Idaho

Provides for supplemental reimbursement for emergency ground transportation of Medicaid recipients. Meant to help particularly rural ambulance services.

Status: Introduced in Senate Health and Welfare on Feb. 9, awaiting committee hearing.

H515: State personnel, public health districts, by Division of Human Resources
In response to legislation of 2021, Public Health District employees are no longer considered state employees. This language clarifies certain provisions to clarify that change in statute.

Status: Passed House Health and Welfare committee on Feb 10, awaiting action by full House.

H518: Workers Compensation, streamline, by Rep. Skaug

Streamlines workers compensation settlement process in case where no hearing is required. Eliminates the step of approval by Idaho Industrial Commission.

Status: Introduced in House Commerce and Human Resources committee on Feb. 3, awaiting full committee hearing.

COVID-inspired proposals

H444: Coronavirus Immunity, Sunset, by numerous legislative sponsors

Extends by an additional year, to July 30, 2023, the law granting immunity to business interests whose actions may have been subject to liability concerns as result of COVID-19.

Status: Awaiting action by full Senate. Had passed full House 70-0 on Jan 31.

H486: Medical Treatment, Minors, by Rep. Giddings

Would repeal the section of law allowing a person age fourteen or older to give personal consent for treatment for communicable diseases. Effect would require aged fourteen to eighteen to get parental consent for treatment.

Status: introduced in House Ways and Means on Jan 28, awaiting hearing.

H 491: Personal Medical Information, by Rep. Nichols

Establishes provisions regarding mandates and use of force with any vaccination, immunization, genetic modulation, or inoculation of any person.

Status: introduced in House Ways and Means on Jan 28, awaiting hearing.

H502: Immunization Registry, opt-in, by Rep. Ferch

This bill changes the current opt-out provision to the Idaho Immunization Registry to an OPT-IN requirement.

Status: Introduced in House Ways and Means on January 28.

H581: Employee Medical Information Protection Act, by Rep. Shepherd

Prohibits an employer from refusing to hire, discharge, or discriminate against an employee or prospective employee because of refusal to be vaccinated, or refusal to disclose vaccination status.

Status: Introduced in House Ways and Means on Feb 10, awaiting full committee hearing.

H601: Assisted Living facilities, in-person visitation rights, by Rep. Young

In-person visitation access shall not be precluded due to an individual's vaccination status. The bill does clarify that said visitor must abide by all other safety precautions as staff and employees of the facility, such as screenings, etc.

Status: Introduced in House Ways and Means on Feb 3, awaiting hearing.

H604: Immunization proof, government, by Rep. Monks

Codifies and expands Governor's Executive Order that individuals will not be required to provide proof of vaccination or negative tests to apply for or receive government benefits, enter a government building, or as a condition of state employment.

Status: Introduced on Feb 10, awaiting committee assignment.

GENERAL POLICY MATTERS of interest to IAFP

S1285: Tobacco, local regulations prohibited, by Reps. Blanksma, Vander Woude
Prohibits local governments from implementing stricter standards than the state in relation to age restrictions on the sale of tobacco or vaping products.

Status: Introduced in Senate Health and Welfare on Feb 9, awaiting hearing.

S1284: Age of tobacco use, by Altria Client Services

Clarifies the definition of term “minor” is anyone under 21 years of age to align with federal definition for tobacco use. Clarifies employees, clerks eighteen years of age and older may sell tobacco products.

Status: Introduced in Senate Health and Welfare on Feb 9, awaiting full hearing.

S1286: Psychologists, service extenders, by Idaho Psychological Association

Updates authorizing language for the Board of Psychological Examiners to be able to continue to regulate psychological service extenders.

Status: Introduced in Senate Health and welfare on Feb. 9, awaiting hearing.

S1287: Rural nursing loan repayment program, by Idaho Nurses Association

Creates a “Rural Nurses Loan Repayment Fund” to reimburse nurses who work in rural Idaho or in a Critical Access Hospital. Qualified applicants may get reimbursed up to \$25,000 per year and total of \$75,000.

Status: Introduced in Senate Health and Welfare on Feb. 9, awaiting full hearing.

H460: Abortion, by Reps Nate and Scott

This bill would end all legal abortions in Idaho without exception

Status: Introduced in House Ways and Means committee on Jan 24.

Looking Forward:

A flurry of new bills were introduced this week and that trend is bound to continue next week, including more COVID-inspired bills.

We will continue to track activity of interest to IAFP and provide weekly reports throughout the session. We stand ready to answer any questions you may have.

Thanks,

Ken Burgess, Partner

Veritas Advisors, LLP