

Idaho Academy of Family Physicians
2023 Legislative Report
Week 9 March 6 – March 10

JFAC sets GME budget, end of session near?

While new bills continue to be introduced, albeit at a much slower pace, the legislature is moving at a rather brisk pace toward some sort of ending. The Senate is working through all of their bills to get moved to the House, and Vice versa. The target adjournment date is March 24, but it seems questionable they will make that deadline. Fun fact: As of March 10, there have been a total of 481 bills introduced in this legislative session.

The Joint Finance and Appropriations Committee has nearly finished all of their budget-setting work and produced such bills, of which there are over ninety. Included in that mix is the Health Education Programs that includes the Graduate Medical Education Programs. The committee approved Governor Little's proposed request of \$824,000, including additional \$600,000 for ten new medical residents, and a \$2,000 per resident funding increase. That bill is Senate Bill 1147 and should be acted upon by the full Senate early next week. It would still need approval by the House and signed by the Governor.

New bills of interest introduced this week:

H213 (formerly H084): "Rural Nursing Loan Program" by Rep Healy

Creates a fund and loan repayment program to reimburse nurses for educational expenses when/if they practice in a rural health shortage area or critical access hospital. Maximum of \$25,000 total repayment based on verifiable educational cost.

STATUS: Awaiting action by full Senate. Passed Senate Health and Welfare Committee on March 8. Passed House 39-30 on March 3.

S1130: "Coronavirus Stop Act" by Sens Winder, Lakey, Adams, Rep. Crane

Establishes limitations on the ability of private and public entities to impose a requirement that individuals receive a coronavirus vaccination.

Status: Passed Senate Judiciary and Rules Committee on March 8, awaiting action by full Senate.

H242 (formerly H098): “Abortion, Pregnant Minors” by Rep. Ehart

Adds definitions related to the illegal trafficking of minors to procure a criminal abortion and amends the section of Idaho code dealing with criminal abortion by prohibiting anyone from trafficking a minor for a criminal abortion with the intent of concealing the crime from the minor’s parents.

Status: **Passed House 57-12 on March 7.** Awaiting action by Senate State Affairs Committee. Introduced on March 1.

H244: “Care Facilities, Visitation, Vaccination” by Rep. Young

Provides for in-person visitation rights and not preclude a visitor's vaccination status.

STATUS: Awaiting action by full House. **Passed out of House Health and Welfare Committee on March 9.**

H223: “Medical Consent, Natural Death” by Rep. Healy

provides clarity to providers and the public who utilize advanced care plans, living wills, and durable power for health care.

STATUS: **Passed House 69-0 on March 8,** awaiting hearing in Senate Health and Welfare Committee.

H224: “Medical Consent, Pelvic Exams” by Reps. Green, Skaug, Young

Prohibits pelvic examination of anesthetized or unconscious patients. Legislation does provide exceptions for specific occurrences.

STATUS: Awaiting action by full House. **Passed House Health and Welfare Committee on March 9.**

Previously introduced bills with some action this week:

S1088: “Coronavirus Stop Act” by Sens. Adams, Winder, Lakey, Rep. Crane

Establishes limitations on the ability of private and public entities to impose a requirement that individuals receive a coronavirus vaccination.

STATUS: **NO ACTION THIS WEEK.** Introduced on Feb 14. Awaiting action in Senate Judiciary and Rules Committee.

S1096: “Alzheimers, dementia” by Sen. Harris

Directs Department of Health and Welfare to convene the Alzheimer’s Disease and Related Dementias (ADRD) Alliance every five years, to update the ADRD

Strategic Plan for Idaho, and report to the Legislature and Governor on gaps, needs, and progress.

STATUS: Passed Senate 35-0 on March 7. Awaiting action by House Health and Welfare Committee. Introduced on Feb 15.

S1108: “Tobacco Tax, cigars” by Sens. Bjerke, Bernt, Rep. Redman
Caps excise tax on cigars at 0.50 cents per cigar. All tobacco products, excluding cigars, will continue being subject to 40% tax on the wholesale price.

STATUS: Passed Senate 31-2 on March 6. Awaiting action by House Revenue and Taxation Committee.

H200: “Medicaid, Managed Care Transition” by Rep. Redman
Implemented Managed Care for Idaho’s Medicaid programs.

STATUS: FAILED in House Health and Welfare Committee on March 8. (Apparently s watered down “resolution” expressing will of the legislature on this issue is forthcoming). Introduced on Feb 23.

H061: “Telehealth Access Act” by Rep. Young

This bill allows for interstate telehealth mental and behavioral health access to providers.

Status: FAILED in Senate Health and Welfare Committee on March 9. Passed House 54-14 on March 3. introduced on Jan 31.

H187 (formerly H72): “Sudden Cardiac Arrest” by Rep. Ehlers

This bill is to encourage greater access of automatic external defibrillators (AEDs) in the public by removing undue regulations for persons or businesses that have an AED. It adds stronger immunity protections (commonly called “Good Samaritan laws”) for AEDs.

STATUS: Passed House 65-0 on March 3, awaiting action by Senate Judiciary and Rules Committee. Introduced on Feb 21.

H201 (formerly H122): “Medicaid Eligibility, postpartum” by Rep. Blanksma
Expands Children’s Health Insurance Program (CHIP) and postpartum health coverage. Expands coverage from 60 days to one year.

STATUS: NO ACTION THIS WEEK. Introduced on Feb 23, awaiting action by House Health and Welfare Committee

H031: “Certified Medication Assistants” by Rep. Healy

Allows additional accredited bodies to provide education and certification to CNAs who want to become MA-C certified.

STATUS: Awaiting action by full Senate. Passed Senate Health and Welfare Committee on March 7. Passed full House 70-0 on Feb 17. To Senate Health and Welfare Committee for action. Introduced Jan 25.

H003: “Physicians and Physician Assistants” by Rep. Wheeler, IDOPL

This bill would remove the registration requirement for supervising physicians for the purpose of supervising interns, residents, physician assistants, or other medical personnel.

STATUS: LAW. Signed by the Governor on March 6. Passed Senate 33-0 on Feb 23, to Governor. Passed House 65-0 on Jan 30. Introduced in House Health and Welfare on January 18.

H004: “Controlled Substances” by Rep. Chew, IDOPL

This is the annual conformity bill to align Idaho’s Controlled substances act with federal FDA changes. In this case, it places synthetic opioids into Schedule I, a substance to treat insomnia in Schedule IV, and an anti-convulsive substance in Schedule V.

STATUS: LAW. Signed by Governor on March 6. Passed Senate 25-8 on Feb 23, to Governor. Passed full House 53-13 on Jan 30. Introduced in House Health and Welfare on January 18.

S1029: “Child Protection, Immunizations” by Sen. Lenney

Prohibits investigations and court orders terminating a parent’s relationship with their child based on the child’s immunization status.

STATUS: LAW. Signed by Governor on Feb 27. Passed House 64-5 on Feb 20. Passed Senate 31-3 on Feb 13. Introduced on Jan 26.

H155 (formerly H069): “Vaccines, prohibition” by Rep. Monks

Codifies and expands Governor’s executive order and provides that individuals will not be required to provide proof of vaccination or negative test results in order to: apply or receive services provided by the state; enter a government venue; or be hired or maintain employment with the state with some exceptions.

STATUS: To Senate Amending order for possible amendments on March 3. Passed House 49-21 on Feb 20. Introduced on Feb 15.

H153 (formerly H62): “Bridge Year Physicians” by Reps. Wheeler and Dixon
Directs State Board of Medicine to create standards and new license for those physicians who have graduated from Medical school but have not matched with a residency to be able to provide certain care in the interim.

STATUS: Awaiting action by full Senate. Passed House 67-0 on Feb 24. Introduced on Feb 15.

H162: “Virtual Health Care” by Rep. Redman

Expands definition of Virtual Care and virtual care practice parameters. Expands scope of practice and changes definition of patient/provider relationship.

STATUS: Awaiting action by full Senate. Passed out of Senate Health and Welfare Committee on March 8. Passed House 69-0 on Feb 28. Introduced on Feb 17.

S1005: “Daycare, immunizations” by Sen. Herndon

Requires daycare facilities to make parents/guardians aware of their right to vaccine exemptions in any case they are made aware of vaccine recommendations.

STATUS: Awaiting action by full House. Passed out of House Health and Welfare on March 2. Passed Senate floor 34-0 on Feb 9. introduced on Jan 19.

Bills of interest with NO action this week:

H71: “Gender Affirming Care” by Rep. Skaug

Criminalizes gender affirming care for minors. Makes it a felony to provide surgery, hormone therapy, and puberty blockers to minors suffering from gender dysphoria, with jail time of ten years.

Status: NO ACTION THIS WEEK. Still awaiting action by Senate Jud and Rules committee. Passed House 58-12 on Feb 14. Introduced on Feb 2.

H081: “Maternal Mortality Review Committee” by Rep. Healy

Completely removes sunset date for the Maternal Mortality Review Committee (currently scheduled for July 1, 2023).

STATUS: Returned to sponsor from House Health and Welfare on Feb 15. Introduced on Feb 2.

H123: “Medicaid expansion, repeal” by Rep. Vander Woude

Repeals the Medicaid Expansion law approved by Idaho voters a five years ago.
STATUS: NO ACTION THIS WEEK. Introduced on Feb 10 in House Health and Welfare Committee, awaiting hearing. (NOTE: Rep. Vander Woude claims he's introducing this merely to spur conversation about the cost issue, no intent to move bill forward)

H146: "Substance Abuse Prevention Fund" by Rep Erickson

Creates new fund and distribute \$1.5 million from Liquor Account into this new fund.

STATUS: NO ACTION THIS WEEK. Introduced in House Health and Welfare on Feb 15, awaiting committee hearing.

H154: "Vaccines, misdemeanor" by Rep. Boyle, Sen. Nichols

Establishes that providing a Vaccine containing mRNA technology is a misdemeanor violation in Idaho.

STATUS: NO ACTION THIS WEEK. Introduced in House Health and Welfare on Feb 15 awaiting committee hearing.

H98: (replaced by H242) "Abortion, pregnant minors" by Rep. Ehart, Sen. Lakey and others

Makes it illegal to take a minor out of state to procure an abortion.

STATUS: NO ACTION THIS WEEK. Introduced on Feb 7 in House State Affairs committee, awaiting hearing.

S1050: "Child protection, notification" by Sen. Herndon

Establishes certain rights and notification thereof, of the parents or guardian in the case of an investigation into child abuse or neglect. Rights include: right to not answer questions; right to consult with an attorney; right to refuse investigators entry into the home; and right to refuse questioning of any minor children in the home.

STATUS: NO ACTION THIS WEEK. Introduced on Feb 7 in Senate Judiciary and Rules committee, awaiting hearing.

H109: "Hospitals, property tax" by Rep. Tanner

Eliminates property tax exemption for associated properties affiliated with a hospital facility. Administrative offices, etc. would no longer be eligible for

property tax exemption – only those buildings that meet the strict definition of a hospital would qualify for exemption.

*STATUS: **NO ACTION THIS WEEK** introduced on Feb 9 in House Revenue and Taxation Committee, awaiting hearing.*

H110: “Property tax, hospitals” by Rep. Tanner

Gives discretion to County Commissioners to decide if hospital properties are granted property tax exemption under their non-profit status.

*STATUS: **NO ACTION THIS WEEK** Introduced on Feb 9 in House Revenue and Taxation Committee, awaiting hearing.*

H026: “Children’s Mental Health Services” by Rep. Erickson

Regarding confidentiality or disclosure of information where a parent is seeking information for Medicaid coverage. Also clarifies that providing access to such services and support is necessary reason to obtain medical records.

*STATUS: **NO ACTION THIS WEEK.** Introduced in House Health and Welfare on Jan 25, awaiting full hearing.*

H027: “Employee Medical Information Protection Act” by Rep. Shepherd

This bill is designed to prevent discrimination in the workplace based on vaccination status as it pertains to Coronavirus or other emergency authorized vaccines.

*STATUS: **NO ACTION THIS WEEK.** Introduced in House Business committee on Jan 25, awaiting committee hearing.*

H028: “Allied Health Professions Board” by Rep. Erickson, IDOPL

Creates the Allied Health Professions Board by combining the Physical Therapy Licensure Board, the dieticians licensing board, occupational therapy licensure board, board of athletic trainers, and respiratory therapy licensure board into one oversight board to regulate those entities.

*STATUS: **NO ACTION THIS WEEK.** Introduced in House Health and Welfare on Jan 25, awaiting committee hearing.*

Bills of interest NOT likely to advance:

S1002: “Abortion” by Sens. Herndon and Foreman

This bill changes the definition of abortion in the criminal abortion law to mean any viable fetus within the uterus and done so in an intentional manner. (the intent here is to eliminate the arguments regarding care for ectopic pregnancies or any extrauterine implantation/growth).

STATUS: NO ACTION THIS WEEK. Introduced in Senate State Affairs Committee on January 16, awaiting committee hearing.

S1018: “Food, Vaccines” by Sen Nichols

Prohibits the placement of vaccines or vaccine material in food without notification of such.

Status: NO ACTION THIS WEEK. Introduced on Jan 25, awaiting hearing in Senate Health and Welfare committee.

H062 (replaced by H153): “Bridge year physician licensing” by Reps. Wheeler and Dixon

Directs State Board of Medicine to create standards and new license for those physicians who have graduated from Medical school but have not matched with a residency to be able to provide certain care in the interim.

Status: Will not advance.

H69 (replaced by H155): “Vaccines, Coronavirus” by Rep. Monks

Codifies the Governor’s Executive Order stating that no proof of vaccination shall be required in order to apply for or receive state services, enter a government facility or work for a state contractor.

Status: Will not advance.

H122 (replaced by H201): “Medicaid, Postpartum Coverage” by Rep. Blanksma

Expands Children’s Health Insurance Program (CHIP) and postpartum health coverage. Expands coverage from 60 days to one year. Expands qualification from 138% of poverty level to 205%.

STATUS: NO ACTION THIS WEEK. Introduced on Feb 10 in House Health and Welfare Committee, awaiting hearing.

H020: “Child Protection – false reports” by Rep. Scott, Sen Herndon

Adds a misdemeanor criminal penalty to possible civil penalties in the case a knowingly false report, a report in bad faith, or with malice, to Child Protective Services is filed.

STATUS: held in House Judiciary and Rules Committee on Feb 17. Introduced on January 20.

H084 (replaced by H213): “Rural Nursing Loan repayment” by Rep. Healy
Creates a fund and loan repayment program to reimburse nurses for educational expenses when/if they practice in a rural health shortage area or critical access hospital. Maximum of \$25,000 total repayment based on verifiable educational cost.

STATUS: Returned to committee on Feb 27. New bill to be printed. Passed House Health and Welfare Committee on Feb 16. Introduced on Feb 2

H72 (replaced by H187): “Sudden Cardiac Arrest” by Rep. Ehlers
Removes barriers to access to Automatic External Defibrillators, by strengthening liability protections of such use under the Good Samaritan laws.

Status: NO ACTION THIS WEEK. Introduced on Feb 2, awaiting hearing in House Judiciary, Rules, and Administration Committee.

H039: “WWAMI Contracts” by Rep. Berch

Repeals requirement that WWAMI students must return to practice in Idaho or repay their expenses.

STATUS: NO ACTION THIS WEEK. Introduced on Jan 25, sent to Ways and Means Committee (unlikely to advance).

S1012: “Patient Right to visitation” by Sen. Bjerke

Ensures fundamental right to family to visit their relatives in a hospitals, hospices, and long-term care facilities. No health care facility may require a vaccine as condition for visitation, and every health care facility must allow their patients to be hugged by their loved ones.

STATUS: NO ACTION THIS WEEK. introduced on Jan 20, awaiting hearing in Senate Health and Welfare Committee. (unlikely to advance)

S1009: “Health Rights” by Sen. Foreman

This is a list of patient rights that includes no mandates of vaccines, masks, etc; prohibits government entities from advertising the use of experimental drugs, vaccines, etc.; clarifies a patient cannot be denied treatment for refusing a vaccine; a right to informed consent; shall not be administered an experimental

vaccine without express consent; right to visitation in a medical facility; and a number of other things that are currently guaranteed under the law...

STATUS: NO ACTION THIS WEEK. Introduced in Senate Health and Welfare on January 19, awaiting hearing. (unlikely to advance)

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