

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 615

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO HEALTH CARE; AMENDING CHAPTER 2, TITLE 41, IDAHO CODE, BY THE
2 ADDITION OF A NEW SECTION 41-299, IDAHO CODE, TO ESTABLISH PROVISIONS
3 REGARDING HEALTH BENEFIT PLAN OPTIONS THAT ARE NOT COMPLIANT WITH THE
4 PATIENT PROTECTION AND AFFORDABLE CARE ACT; AMENDING CHAPTER 2, TITLE
5 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-267, IDAHO CODE, TO
6 PROVIDE A DIRECT PRIMARY CARE PROGRAM FOR MEDICAID PARTICIPANTS; AND
7 AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SEC-
8 TION 56-268, IDAHO CODE, TO PROVIDE THAT THE STATE DEPARTMENT OF HEALTH
9 AND WELFARE SHALL SEEK CERTAIN WAIVERS OR AMENDMENTS TO WAIVERS.
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11 Be It Enacted by the Legislature of the State of Idaho:

12 SECTION 1. That Chapter 2, Title 41, Idaho Code, be, and the same is
13 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
14 ignated as Section 41-299, Idaho Code, and to read as follows:

15 41-299. INNOVATIVE HEALTH BENEFIT PLANS. The director shall encourage
16 and permit health insurance carriers to offer health benefit plans that ex-
17 pand health care access to Idahoans by providing benefits and plan designs
18 that meet consumer needs at lower costs than those now available. The di-
19 rector shall approve health benefit plan options that are compliant with
20 all state requirements or that, at a minimum, meet state requirements for
21 health benefit plans prior to the enactment of the patient protection and af-
22 fordable care act, P.L. 111-148, even if not all requirements of the patient
23 protection and affordable care act are met by such options, provided that
24 the carrier offering such options must also offer options that are compliant
25 with the requirements of the patient protection and affordable care act. The
26 director is authorized to seek a waiver from the United States department
27 of health and human services if necessary to enforce the provisions of this
28 section.

29 SECTION 2. That Chapter 2, Title 56, Idaho Code, be, and the same is
30 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
31 ignated as Section 56-267, Idaho Code, and to read as follows:

32 56-267. DIRECT PRIMARY CARE. To the extent practicable, the depart-
33 ment shall establish and implement a direct primary care program for partic-
34 ipants in medical assistance, under which program medical assistance partic-
35 ipants shall receive routine health care services for a capitated fee.
36 The department shall take such actions as are necessary to implement the di-
37 rect primary care program.

38 SECTION 3. That Chapter 2, Title 56, Idaho Code, be, and the same is
39 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
40 ignated as Section 56-268, Idaho Code, and to read as follows:

1 56-268. WAIVERS. The director shall apply to the federal centers for
2 medicare and medicaid services (CMS) for waivers or amendments to any cur-
3 rent waivers, which waivers or amendments would allow:

4 (1) Work requirements as permitted in guidance issued by CMS; and

5 (2) A lifetime limit on participation in the medical assistance pro-
6 gram, which limit would be five (5) years. The limitation under this sub-
7 section would become effective upon approval of the waiver or amendment and
8 would not include any previous time during which a participant received ben-
9 efits. Further, the limitation under this subsection would not include any
10 time during which a participant is:

11 (a) Pregnant;

12 (b) The sole caregiver of a family member under the age of six (6) years;

13 (c) Receiving medical assistance pursuant to section 56-254(2), Idaho
14 Code;

15 (d) Enrolled before reaching the age of nineteen (19) years; or

16 (e) At least nineteen (19) years old but attending high school as a
17 full-time student.