

IN THE SENATE

SENATE BILL NO. 1354

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO HOSPITALS; AMENDING SECTION 39-1307, IDAHO CODE, TO REVISE PRO-
2 VISIONS REGARDING RULES, REGULATIONS, AND ENFORCEMENT AND TO PROVIDE
3 THAT CERTAIN RULES, REGULATIONS, AND STANDARDS SHALL NOT APPLY TO HOS-
4 PITALS CERTIFIED BY MEDICARE.
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6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Section 39-1307, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 39-1307. RULES, REGULATIONS, AND ENFORCEMENT. The board shall have
10 the authority to adopt, amend, and enforce rules, regulations, and standards
11 consistent with the provisions of this ~~act~~ chapter that are designed
12 to protect the health and safety of patients being cared for in facilities or
13 agencies as defined.

14 The board of health and welfare, ~~hereinafter created~~, shall adopt, amend, promulgate, and en-
15 force such rules, regulations, and standards with respect to all hospitals
16 or different types of hospitals to be licensed hereunder as may be designed
17 to further the accomplishment of the purposes of this ~~law~~ chapter in pro-
18 moting safe and adequate treatment of individuals in hospitals in the inter-
19 est of public health, safety, and welfare. Any such rules, regulations, and
20 standards issued under this chapter that are more restrictive than medicare
21 conditions of participation shall not apply to hospitals that are certified
22 by medicare, through accreditation, survey, or otherwise, to participate in
23 the medicare program. Provided further that nothing in this ~~act~~ chapter or
24 the rules and regulations adopted pursuant thereto shall be construed as au-
25 thorizing the supervision, regulation, or control of the remedial care or
26 treatment of residents or patients in any home, facility, or agency as de-
27 finied, conducted for those who rely upon treatment by prayer or spiritual
28 means in accordance with the creed or tenets of any well-recognized church
29 or religious denomination except as to sanitary and safe conditions of the
30 premises, cleanliness of operation, and its physical equipment.
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