

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 215

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO REPORTS TO THE LEGISLATURE; AMENDING CHAPTER 4, TITLE 67, IDAHO
2 CODE, BY THE ADDITION OF A NEW SECTION 67-466, IDAHO CODE, TO PROVIDE
3 THAT REPORTS TO THE LEGISLATURE SHALL BE SUBMITTED TO THE LEGISLATIVE
4 SERVICES OFFICE; AMENDING CHAPTER 7, TITLE 67, IDAHO CODE, BY THE ADDI-
5 TION OF A NEW SECTION 67-705, IDAHO CODE, TO ESTABLISH PROVISIONS RE-
6 GARDING ELECTRONIC SUBMISSION OF REPORTS TO THE LEGISLATURE; AMENDING
7 SECTION 56-263, IDAHO CODE, TO REMOVE A PROVISION REGARDING A CERTAIN
8 PRESENTATION TO THE LEGISLATURE; AMENDING SECTION 56-267, IDAHO CODE,
9 TO REMOVE A PROVISION REGARDING A RECOMMENDATION TO THE LEGISLATURE;
10 REPEALING SECTION 67-9407, IDAHO CODE, RELATING TO A REPORT TO THE LEG-
11 ISLATURE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.
12

13 Be It Enacted by the Legislature of the State of Idaho:

14 SECTION 1. That Chapter 4, Title 67, Idaho Code, be, and the same is
15 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
16 ignated as Section 67-466, Idaho Code, and to read as follows:

17 67-466. REPORTS TO THE LEGISLATURE. All reports required by Idaho Code
18 to be submitted to the legislature or to any committee, group, or member of
19 the legislature shall, in addition to any other requirements regarding de-
20 livery, also be submitted to the legislative services office electronically
21 pursuant to the provisions of section 67-705, Idaho Code.

22 SECTION 2. That Chapter 7, Title 67, Idaho Code, be, and the same is
23 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
24 ignated as Section 67-705, Idaho Code, and to read as follows:

25 67-705. ELECTRONIC SUBMISSION OF REPORTS TO THE LEGISLATURE. (1) The
26 legislative services office shall establish and maintain a website feature
27 to allow reports to the legislature to be submitted electronically.

28 (2) Where no due date is specified in a reporting requirement, such re-
29 port shall be delivered by December 15 of any year when it is due.

30 (3) The legislative services office shall deliver reports received
31 pursuant to this section to the legislature in a manner consistent with ap-
32 plicable provisions of Idaho Code.

33 SECTION 3. That Section 56-263, Idaho Code, be, and the same is hereby
34 amended to read as follows:

35 56-263. MEDICAID MANAGED CARE PLAN. ~~(1) The department shall present~~
36 ~~to the legislature on the first day of the second session of the sixty-first~~
37 ~~Idaho legislature a plan for medicaid managed care with focus on high-cost~~
38 ~~populations, including but not limited to:~~

39 ~~(a) Dual eligibles; and~~

1 ~~(b) High-risk pregnancies.~~

2 ~~(2) The medicaid managed care plan shall include but not be limited to~~
3 ~~the following elements:~~

4 ~~(a) Improved coordination of care through primary care medical homes.~~

5 ~~(b) Approaches that improve coordination and provide case management~~
6 ~~for high-risk, high-cost disabled adults and children that reduce costs~~
7 ~~and improve health outcomes, including mandatory enrollment in special~~
8 ~~needs plans, and that consider other managed care approaches.~~

9 ~~(c) Managed care contracts to pay for behavioral health benefits as~~
10 ~~described in executive order no. 2011-01 and in any implementing leg-~~
11 ~~islation. At a minimum, the system should include independent, stan-~~
12 ~~dardized, statewide assessment and evidence-based benefits provided by~~
13 ~~businesses that meet national accreditation standards.~~

14 ~~(d) The elimination of duplicative practices that result in unneces-~~
15 ~~sary utilization and costs.~~

16 ~~(e) Contracts based on gain-sharing, risk-sharing or a capitated ba-~~
17 ~~sis.~~

18 ~~(f) Medical home development with focus on populations with chronic~~
19 ~~disease using a tiered case management fee.~~

20 ~~(3) (1) The department shall seek federal approval or a waiver to re-~~
21 ~~quire that a medicaid participant who has a medical home as required in~~
22 ~~section 56-255(5) (b), Idaho Code, and who seeks family planning services or~~
23 ~~supplies from a provider outside the participant's medical home, must have a~~
24 ~~referral to such outside provider. The provisions of this subsection shall~~
25 ~~apply to medicaid participants upon such approval or the granting of such a~~
26 ~~waiver.~~

27 ~~(4) (2) The department shall seek approval as soon as practicable but no~~
28 ~~later than July 1, 2027, from the centers for medicare and medicaid services~~
29 ~~for directed payments to qualifying hospitals participating in the Idaho be-~~
30 ~~havioral health plan in accordance with 42 CFR 438.~~

31 ~~(5) (3) Subject to written approval by the centers for medicare and med-~~
32 ~~icaid services, the department shall make directed payments to qualifying~~
33 ~~hospitals participating in medicaid managed care programs in an amount not~~
34 ~~to exceed the maximum allowable payment authorized by federal regulations.~~

35 ~~(6) (4) Qualifying hospitals assessed pursuant to this section are ex-~~
36 ~~empt from assessment pursuant to section 56-1404, Idaho Code.~~

37 SECTION 4. That Section 56-267, Idaho Code, be, and the same is hereby
38 amended to read as follows:

39 56-267. MEDICAID ELIGIBILITY EXPANSION. (1) Notwithstanding any pro-
40 vision of law or federal waiver to the contrary, the state shall amend its
41 state plan to expand medicaid eligibility to include those persons under
42 sixty-five (65) years of age whose modified adjusted gross income is one hun-
43 dred thirty-three percent (133%) of the federal poverty level or below and
44 who are not otherwise eligible for any other coverage under the state plan,
45 in accordance with sections 1902(a) (10) (A) (i) (VIII) and 1902(e) (14) of the
46 social security act.

47 (2) No later than ninety (90) days after approval of this act, the
48 department shall submit any necessary state plan amendments to the United
49 States department of health and human services, centers for medicare and

1 medicaid services to implement the provisions of this section. The depart-
2 ment is required and authorized to take all actions necessary to implement
3 the provisions of this section as soon as practicable.

4 (3) Eligibility for medicaid as described in this section shall not be
5 delayed if the centers for medicare and medicaid services fail to approve any
6 waivers of the state plan for which the department applies, nor shall such
7 eligibility be delayed while the department is considering or negotiating
8 any waivers to the state plan. The department shall not implement any waiver
9 that would result in a reduction in federal financial participation for per-
10 sons identified in subsection (1) of this section below the ninety percent
11 (90%) commitment described in section 1905 (y) of the social security act.

12 (4) If section 1905 (y) of the social security act is held unlawful or
13 unconstitutional by the United States supreme court, then the legislature
14 shall declare this section to be null, void, and of no force and effect.

15 (5) If federal financial participation for persons identified in sub-
16 section (1) of this section is reduced below the ninety percent (90%) commit-
17 ment described in section 1905 (y) of the social security act, then the senate
18 and house of representatives health and welfare committees shall, as soon as
19 practicable, review the effects of such reduction and make a recommendation
20 to the legislature as to whether medicaid eligibility expansion should re-
21 main in effect. The review and recommendation described in this subsection
22 shall be conducted by the date of adjournment of the regular legislative ses-
23 sion following the date of reduction in federal financial participation.

24 (6) The department:

25 (a) Shall place all persons participating in medicaid pursuant to
26 this section in a care management program authorized under section
27 56-265(5), Idaho Code, or in another managed care program to improve the
28 quality of their care, to the extent possible; and

29 (b) Is authorized to seek any federal approval necessary to implement
30 the provisions of this subsection.

31 ~~(7) No later than January 31 in the 2023 legislative session, the sen-
32 ate and house of representatives health and welfare committees shall review
33 all fiscal, health, and other impacts of medicaid eligibility expansion pur-
34 suant to this section and shall make a recommendation to the legislature as
35 to whether such expansion should remain in effect.~~

36 SECTION 5. That Section [67-9407](#), Idaho Code, be, and the same is hereby
37 repealed.

38 SECTION 6. An emergency existing therefor, which emergency is hereby
39 declared to exist, this act shall be in full force and effect on and after
40 July 1, 2025.