

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 219

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO HEALTH INSURANCE; AMENDING CHAPTER 3, TITLE 41, IDAHO CODE, BY
2 THE ADDITION OF A NEW SECTION 41-351, IDAHO CODE, TO ESTABLISH PROVI-
3 SIONS REGARDING COST-SHARING REQUIREMENTS FOR HEALTH BENEFIT PLANS;
4 AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.
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6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Chapter 3, Title 41, Idaho Code, be, and the same is
8 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
9 ignated as Section 41-351, Idaho Code, and to read as follows:

10 41-351. COST-SHARING REQUIREMENTS FOR HEALTH BENEFIT PLANS. (1) As
11 used in this section:

12 (a) "Cost-sharing requirement" means any copayment, coinsurance, de-
13 ductible, or annual limitation on cost-sharing required by a health
14 benefit plan for a specific health care service covered by the health
15 benefit plan and includes any copayment, coinsurance, deductible,
16 or annual limitation subject to 42 U.S.C. 18022(c) or 42 U.S.C.
17 300gg-6(b).

18 (b) "Health care service" means an item or service furnished to an in-
19 dividual for the purpose of preventing, alleviating, curing, or healing
20 human illness, injury, or physical disability, including prescription
21 drugs.

22 (2) When calculating an enrollee's contribution to any applicable
23 cost-sharing requirement for a health care service, an insurer shall include
24 any cost-sharing amounts paid:

25 (a) By the enrollee; or

26 (b) On behalf of the enrollee by another party.

27 (3) This section applies to any health benefit plan entered into,
28 amended, extended, or renewed on or after January 1, 2026.

29 (4) This section shall not apply to a health care service that is a pre-
30 scription drug if:

31 (a) There is a medically appropriate generic equivalent; and

32 (b) The patient's doctor has indicated that the medically appropriate
33 generic equivalent is appropriate for the patient.

34 (5) The department of insurance may promulgate rules, subject to leg-
35 islative approval, to carry out the provisions of this section.

36 SECTION 2. An emergency existing therefor, which emergency is hereby
37 declared to exist, this act shall be in full force and effect on and after
38 July 1, 2025.