

IN THE SENATE

SENATE BILL NO. 1142

BY JUDICIARY AND RULES COMMITTEE

AN ACT

1 RELATING TO THE HEALTH CARE ASSISTANCE PROGRAM; AMENDING CHAPTER 2, TITLE
2 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-270, IDAHO CODE,
3 TO PROVIDE A SHORT TITLE; AMENDING CHAPTER 2, TITLE 56, IDAHO CODE,
4 BY THE ADDITION OF A NEW SECTION 56-271, IDAHO CODE, TO ESTABLISH THE
5 HEALTH CARE ASSISTANCE PROGRAM; AMENDING CHAPTER 2, TITLE 56, IDAHO
6 CODE, BY THE ADDITION OF A NEW SECTION 56-272, IDAHO CODE, TO DEFINE
7 TERMS; AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF A
8 NEW SECTION 56-273, IDAHO CODE, TO PROVIDE ELIGIBILITY REQUIREMENTS
9 FOR PROGRAM PARTICIPANTS; AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY
10 THE ADDITION OF A NEW SECTION 56-274, IDAHO CODE, TO PROVIDE ELIGIBIL-
11 ITY REQUIREMENTS FOR HEALTH CARE PROVIDERS; AMENDING CHAPTER 2, TITLE
12 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-275, IDAHO CODE, TO
13 PROVIDE THAT PROGRAM PARTICIPANTS SHALL BE ANNUALLY ENROLLED BASED ON
14 PROGRAM AVAILABILITY AND TO PROVIDE THAT PARTICIPANTS WILL BE ANNUALLY
15 REASSESSED TO DETERMINE IF THEY SHALL CONTINUE IN THE PROGRAM; AMENDING
16 CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-276,
17 IDAHO CODE, TO PROVIDE FOR PAYMENT TO PROVIDERS AND TO PROVIDE THAT PRO-
18 GRAM PARTICIPANTS WILL BE CHARGED FEES; AMENDING CHAPTER 2, TITLE 56,
19 IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-277, IDAHO CODE, TO PRO-
20 VIDE POWERS AND DUTIES OF THE DIRECTOR OF THE STATE DEPARTMENT OF HEALTH
21 AND WELFARE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING A SUNSET DATE.
22

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

24 SECTION 1. That Chapter 2, Title 56, Idaho Code, be, and the same is
25 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
26 ignated as Section 56-270, Idaho Code, and to read as follows:

27 56-270. SHORT TITLE. Sections 56-270 through 56-277, Idaho Code,
28 shall be known and may be cited as the "Health Care Assistance Act."

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 56-271, Idaho Code, and to read as follows:

32 56-271. PROGRAM ESTABLISHED. The legislature hereby establishes the
33 health care assistance program and directs the state department of health
34 and welfare to develop the program in a manner consistent with the provi-
35 sions of this act. The purpose of the program is to provide coordination of
36 primary and preventative care with a focus on managing, as provided in rule,
37 the chronic conditions of uninsured individuals whose income falls below one
38 hundred percent (100%) of the federal poverty level and who are not currently
39 eligible for medicaid or for tax credits that would enable such individuals
40 to purchase private insurance on the Idaho health insurance exchange.

1 SECTION 3. That Chapter 2, Title 56, Idaho Code, be, and the same is
2 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
3 ignated as Section 56-272, Idaho Code, and to read as follows:

4 56-272. DEFINITIONS. As used in this act:

5 (1) "Care coordination" means the management of a program partici-
6 pant's health to accomplish cost-effective care by coordination of health
7 services.

8 (2) "Department" means the Idaho department of health and welfare.

9 (3) "Director" means the director of the Idaho department of health and
10 welfare.

11 (4) "Health assessment" means an examination of a potential partici-
12 pant by a provider to determine if the potential participant's health status
13 makes the potential participant eligible for the program.

14 (5) "Health care assistance program" or "program" means the program es-
15 tablished by this act, in which participants receive primary care, limited
16 prescriptions and care coordination from eligible providers.

17 (6) "Participant" means a person eligible for and enrolled in the pro-
18 gram.

19 (7) "Primary care" means professional health services, including
20 health education and disease prevention, initial assessment of health
21 problems, treatment of certain acute and chronic health problems and the
22 overall management of an individual's health care services as provided by an
23 Idaho-licensed provider.

24 (8) "Provider" means an Idaho-licensed physician, physician assis-
25 tant, nurse practitioner or clinical nurse specialist who is eligible to
26 provide program services to participants.

27 SECTION 4. That Chapter 2, Title 56, Idaho Code, be, and the same is
28 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
29 ignated as Section 56-273, Idaho Code, and to read as follows:

30 56-273. PARTICIPANT ELIGIBILITY. A person shall be eligible for en-
31 rollment in the health care assistance program upon a finding by the depart-
32 ment that:

33 (1) The department's application for the health care assistance pro-
34 gram has been completed and signed by the person or the person's authorized
35 representative;

36 (2) The person's income is verified to be less than one hundred percent
37 (100%) of the federal poverty level according to department rule;

38 (3) The person is not eligible for medicaid or the advanced premium tax
39 credit and is not eligible for or enrolled in an employer-sponsored or gov-
40 ernment-subsidized health care plan;

41 (4) The person is verified to be a United States citizen and an Idaho
42 resident according to department rule;

43 (5) The person's household composition and employment have been veri-
44 fied according to department rule;

45 (6) The person's health assessment demonstrates that program eligibil-
46 ity criteria have been met; and

47 (7) The person meets other eligibility criteria set by the department
48 in rule.

1 SECTION 5. That Chapter 2, Title 56, Idaho Code, be, and the same is
2 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
3 ignated as Section 56-274, Idaho Code, and to read as follows:

4 56-274. PROVIDER ELIGIBILITY. A provider shall be eligible for pay-
5 ment from the department for the provision of all primary care and care
6 coordination services and limited prescriptions to program participants
7 upon a finding by the director that the provider, whose clinic must engage
8 in a coordinated care business model, has entered into a health care as-
9 sistance program agreement with the department. As part of the agreement,
10 the provider shall submit certain information, as provided in rule, to the
11 department regarding program participants on a periodic basis. This infor-
12 mation shall include, but shall not be limited to:

- 13 (1) Utilization data, such as the number of participants assessed; and
14 (2) Clinical data, such as the number of participants with a diabetes
15 diagnosis.

16 SECTION 6. That Chapter 2, Title 56, Idaho Code, be, and the same is
17 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
18 ignated as Section 56-275, Idaho Code, and to read as follows:

19 56-275. PROGRAM TERM, ENROLLMENT AND SERVICES. (1) Persons determined
20 by the department to be eligible for the program shall be annually enrolled
21 in the program based on availability. If a person is eligible but cannot be
22 enrolled due to lack of fund availability, the person shall be placed on a
23 waiting list and enrolled if and when possible.

24 (2) Participants will be annually reassessed for eligibility and must
25 satisfy the criteria for active participation, as set forth in rule, in order
26 to continue in the program.

27 SECTION 7. That Chapter 2, Title 56, Idaho Code, be, and the same is
28 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
29 ignated as Section 56-276, Idaho Code, and to read as follows:

30 56-276. PAYMENTS AND FEES. (1) A provider participating in the pro-
31 gram will receive a monthly fee for each eligible participant who receives
32 primary care, limited prescriptions and care coordination services from the
33 provider.

34 (2) A provider participating in the program will charge a fee, not to
35 exceed twenty dollars (\$20.00), according to criteria set forth in rule to
36 each participant receiving primary care, limited prescriptions and care co-
37 ordination services from the provider.

38 SECTION 8. 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 56-277, Idaho Code, and to read as follows:

41 56-277. POWERS AND DUTIES OF THE DIRECTOR. The director shall and is
42 hereby authorized to:

- 43 (1) Initiate and administer the health care assistance program;

1 (2) Establish eligibility criteria for providers and participants, in-
2 cluding limits on qualifying chronic conditions as necessary to maintain the
3 sustainability of the program;

4 (3) Establish provider reporting requirements for participant manage-
5 ment and health quality outcomes;

6 (4) Promulgate, adopt and enforce such rules as may be necessary or
7 proper to carry out the provisions of this act; and

8 (5) Enter into contracts with eligible providers who will provide pri-
9 mary care, limited prescriptions and care coordination services to partic-
10 ipants consistent with the provisions of this act and any rules promulgated
11 hereunder.

12 SECTION 9. This act shall be in full force and effect on and after July
13 1, 2017. Participant enrollment in the program shall be effective January 1,
14 2018, and thereafter as determined by the provisions of this act.

15 SECTION 10. The provisions of this act shall be null, void and of no
16 force and effect after June 30, 2022.