

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 398

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO MEDICAID; AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE AD-  
2 DITION OF A NEW SECTION 56-270, IDAHO CODE, TO PROVIDE FOR LEGISLATIVE  
3 APPROVAL OF STATE PLAN AMENDMENTS AND CERTAIN WAIVERS; AND DECLARING AN  
4 EMERGENCY.  
5

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

7 SECTION 1. That Chapter 2, Title 56, 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 56-270, Idaho Code, and to read as follows:

10 56-270. LEGISLATIVE APPROVAL OF WAIVERS AND STATE PLAN AMEND-  
11 MENTS. Notwithstanding any provision of law to the contrary, the state  
12 department of health and welfare shall not seek or implement a medicaid state  
13 plan amendment or a waiver pursuant to section 1115 or 1915 of the social  
14 security act without first obtaining approval from the legislature. Such  
15 approval must be provided in statute. The provisions of this section shall  
16 not affect any state plan amendment or waiver program already implemented as  
17 of the effective date of this section.

18 SECTION 2. An emergency existing therefor, which emergency is hereby  
19 declared to exist, this act shall be in full force and effect on and after its  
20 passage and approval.