LEGISLATURE OF THE STATE OF IDAHO
Sixty-seventh Legislature Second Regular Session - 2024

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 398

BY HEALTH AND WELFARE COMMITTEE

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

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

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

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

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