

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 713

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO HEALTH INSURANCE; AMENDING CHAPTER 3, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-352, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING COST-SHARING REQUIREMENTS FOR HEALTH BENEFIT PLANS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Chapter 3, Title 41, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 41-352, Idaho Code, and to read as follows:

41-352. COST-SHARING REQUIREMENTS FOR HEALTH BENEFIT PLANS. (1) As used in this section:

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

(b) "Health care service" means an item or service furnished to an individual for the purpose of preventing, alleviating, curing, or healing human illness, injury, or physical disability, including prescription drugs.

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

(a) By the enrollee; or

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

(3) This section applies to any health benefit plan entered into, amended, extended, or renewed on or after January 1, 2027.

(4) This section shall not apply to a health care service that is a prescription drug if:

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

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

(5) The department of insurance may promulgate rules, subject to legislative approval, to carry out the provisions 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 July 1, 2026.