**Idaho Academy of Family Physicians**

**2019 Legislative Report**

**Week 7, February 18-22**

**First efforts to curtail Medicaid expansion defeated:**

Two proposals designed to nullify and/or curtail the implementation of Medicaid expansion as passed by the voter’s initiative in November failed to get an introductory hearing in House Health and Welfare this week.  Notably, the vote to not introduce each bill was 7-5 – an indication of how split the House is on the subject

There will most certainly still be more Medicaid expansion-related bills introduced this session before a final solution is crafted.

**On the horizon:**

Next week the Joint Finance Appropriations Committee (JFAC) will set the budget for the Graduate Medical Education programs.  This will be the second year of funding for the 10-year strategic plan for GME Expansion.

**New legislation introduced this week:**

[**H182**](https://legislature.idaho.gov/wp-content/uploads/sessioninfo/2019/legislation/H0182.pdf)**– Pharmacists, prescriptions** – by Rep. Zollinger, Sen. Martin

*Status:  introduced in House Health and Welfare on Feb 21.*

My interpretation of this bill is that it removes the requirement of the Board of Pharmacy to authorize which drugs may be prescribed by a pharmacist under certain circumstances.

This legislation will allow pharmacists to prescribe any medications they choose to treat any conditions that, in the pharmacist’s judgment:

·        Do not require a new diagnosis;

·        Are minor and generally self-limiting;

·        Have a test that is used to guide diagnosis or clinical decision-making and are waived under the federal clinical laboratory improvement amendments of 1988; or

·        Threaten the health or safety of the patient should the prescription not be immediately dispensed.

The bill says pharmacists must prescribe in accordance with FDA product labeling and may not prescribe controlled, compounded or biological drugs or products. The Board of Pharmacy will no longer be required to develop administrative rules to authorize specific drugs or conditions allowed for use or treatment by pharmacists

**Status of previous legislation:**

[**S1100**](https://legislature.idaho.gov/sessioninfo/2019/legislation/S1100/)**– Medicaid Expansion “sideboards”**– by Sen. Souza

*Status:  Introduced on Feb 11 in Senate Health and Welfare, awaiting full committee hearing.*

Authorizes an optional workforce development training program for population covered by expansion; Allows state to apply for Federal waiver for those over 100% of Federal Poverty Level to seek subsidized insurance on the health Insurance exchange; allows application of Federal waiver to provide mental health treatment; Requires a legislative review of Medicaid expansion in 2023; voids Medicaid expansion if federal funding ratios change.

[**S1098**](https://legislature.idaho.gov/sessioninfo/2019/legislation/S1098/)**– Bone Marrow Donation** – by Sen. Heider

*Status: Passed Senate unanimously o**n Feb 21, to House Health and Welfare for action.*

Allows Primary Care Providers and Urgent Care Physicians to inquire of patients age 18-45 whether they are a bone marrow donor and provide educational material to those patients on the subject.  Directs Idaho Department of Health and Welfare to develop materials and information regarding bone marrow registry.

[**S1095**](https://legislature.idaho.gov/sessioninfo/2019/legislation/S1095/)**– Employment, Health Assistance** – by Sen. Thayn

*Status: Introduced in Senate Health and Welfare on Feb 11, awaiting full hearing.*

To help those transitioning of SNAP and Medicaid by providing $500 for medical and/or job training costs to be used over a six-month period if participant coordinates with a qualifying non-profit organization and follows a plan to get out of poverty.

[**H152**](https://legislature.idaho.gov/wp-content/uploads/sessioninfo/2019/legislation/H0152.pdf)**– Naturopathic Medicine** – by Idaho Chapter of Association of Naturopathic Physicians

*Status:  Introduced in House Health and Welfare Committee on Feb 14, full hearing scheduled Monday, Feb 25.*

Would add a Naturopathic Licensure Advisory Board to Idaho Board of Medicine, the powers and duties to include licensing naturopathic physicians in Idaho.

[**H133**](https://legislature.idaho.gov/wp-content/uploads/sessioninfo/2019/legislation/H0133.pdf)**– Immunization exemption** – by Rep. Giddings

*Status: Passed House Health and Welfare Committee, on Feb 21 on a 7-5 vote, to full House for action.*

Would require daycares and schools, when informing parents about immunizations, to also provide information regarding the exemption provision allowed by Idaho law.

[**HB109**](https://legislature.idaho.gov/wp-content/uploads/sessioninfo/2019/legislation/H0109.pdfhttps%3A/legislature.idaho.gov/wp-content/uploads/sessioninfo/2019/legislation/H0182.pdf)**– Maternal Mortality Review Commission** – by the Idaho Medical Association:

*Status:  Passed full House on Feb 21 by vote of 34 -33. To Senate Health and Welfare.*

The IMA introduced a maternal mortality review bill in House Health and Welfare this week.  The bill would create a Maternal Mortality Review Committee, which is a multi-disciplinary peer-review committee to collect information, determine whether a death was preventable and, if so, plot a strategy for educating health care workers to address the issue.  The United States has a higher maternal mortality rate than other countries such as the UK, Germany, France, and Canada.

[**SB1049**](https://legislature.idaho.gov/sessioninfo/2019/legislation/S1049/)**– Partial-birth Abortion** – by Senator Den Hartog:

*Status:  Passed the full Senate Friday 29-6.  Now to House State Affairs for action.*

Amends Idaho’s partial-birth abortion law to align with federal law and in response to US Supreme Court decision on the issue.

[**HB64**](https://legislature.idaho.gov/wp-content/uploads/sessioninfo/2019/legislation/H0064.pdf)**(formerly HB29) – Abortion Complications Reporting** – by Rep. Greg Chaney

*Status:  Passed out of Senate State Affairs Committee on Feb 18, now to the full Senate for action.  It has already passed the House.*

This bill makes some wording and technical changes to sections of this law passed last year.  It appears that the law is not substantially changed from current.

**Bills signed into law:**

[**HB 9**](https://legislature.idaho.gov/wp-content/uploads/sessioninfo/2019/legislation/H0009.pdf)**– Medical Practice Act** – by State Board of Medicine:

*Status:**Signed into law by the Governor.*

This is a 28-page bill being billed as a housekeeping or cleanup bill by the Board of Medicine.  It updates and modernizes provisions of the Medical Practice Act.  Among other provisions, it also would add a Physician Assistant to the Board of Medicine and adds a physician assistant and a public member to the Physician Assistant Advisory Committee.  It also removes the requirement that medical students be registered with the Board.

[**HB 10**](https://legislature.idaho.gov/wp-content/uploads/sessioninfo/2019/legislation/H0010.pdf)**– Pharmacy Practice Act** – by State Board of Pharmacy

*Status: Signed into law by the Governor.*

This is an 18-page bill updating and modernizing the Pharmacy Practice Act.  It also establishes a multistate pharmacy license to increase portability and mobility of practice across state lines.

[**HB11**](https://legislature.idaho.gov/wp-content/uploads/sessioninfo/2019/legislation/H0011.pdf)**– Uniform Controlled Substances Act** – by Board of Pharmacy

*Status: Signed into law by the Governor.*

Aligns DEA scheduling decisions by including synthetic opioids in Schedule I.

We will continue to track and report legislation of interest.

Ken Burgess

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