**Idaho Academy of Family Physicians**

**2019 Legislative Report**

**Week 8, February 25 – March 1**

**Medicaid, GME budgets set by JFAC:**

The Joint Finance-Appropriations committee (JFAC) set the budget for Medicaid this week and for funding year 2 of the ten-year expansion plan for Graduate Medical Education (GME) programs.  Notable on the Medicaid front is the budget included $20 million worth of funding for Medicaid expansion as passed by the voters in November.  Of that $20 million, roughly ten million is from savings realized through other Medicaid programs, and ten million will come from the Millennium Fund.  The Medicaid funding bill still needs to be acted upon by both houses of the legislature.  AND, the actual policy bill to implement Medicaid Expansion has yet to surface, mainly due to discussions of what kind of sideboards the Legislature may want to put on the program or its recipients.  This will likely be the most challenging and contentious issue for the Legislature this year and will likely be the last thing they accomplish before adjourning for the year.

The GME funding bill is for a total of $21.4 million and includes gradual expansion of numbers of residents for FMRI, Eastern Idaho, Bingham and the Boise Internal Medicine residencies, as well as an increase in the salary for those residents.

**New legislation introduced this week:**

[**H196– Naturopathic Medicine (formerly H152)**](https://legislature.idaho.gov/sessioninfo/2019/legislation/H0196/) – by Idaho Chapter of Association of Naturopathic Physicians

This is a new version of a bill introduced earlier.  It has been changed slightly to address some concerns by dietitians.

*Status:  Introduced in House Health and Welfare Committee on Feb 20, passed out of committee on Feb 21, now goes to full house for action.*

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

**Status of previous legislation:**

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

*Status:  Passed unanimously out of House Health and Welfare on Feb 21, now goes to full House for action.*

Bill 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.

NOTE:  The IAFP sent a letter to the committee asking them to oppose this bill.

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

*Status: Passed full House 52-17 on Feb 25.  To Senate Health and Welfare for action.*

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

Here is an interesting report from this week noting a significant decrease in Idaho’s childhood immunization rates:  [**https://www.idahoednews.org/news/immunization-rates-drop-as-opt-out-numbers-surge/**](https://www.idahoednews.org/news/immunization-rates-drop-as-opt-out-numbers-surge/)

[**HB109 – Maternal Mortality Review Commission**](https://legislature.idaho.gov/sessioninfo/2019/legislation/H0109/) – 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.

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

*Status:  Still awaiting Senate Health and Welfare committee hearing.  Introduced on Feb 11.*

Authorizes an optional workforce development training program for population covered by expansion; Allows state to apply for Federal waiver for those over 100% of the Federal Poverty Level to seek subsidized insurance on the Health Insurance Exchange; allows an application of a 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 – Bone Marrow Donation**](https://legislature.idaho.gov/sessioninfo/2019/legislation/S1098/) – by Sen. Heider

*Status: Still awaiting hearing in House Health and Welfare.  Passed Senate unanimously on Feb 21.*

Allows Primary Care Providers and Urgent Care Physicians to inquire of patients age 18-45 as to 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.

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

*Status:  Passed the full House on March 1, 50-11.  Passed Senate Feb 22, 29-6.  Now to Governor.*

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

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

*Status:  Still awaiting full Senate action.  Passed out of Senate State Affairs Committee on Feb 18.  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.

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

*Status: Not likely to advance.  Introduced in Senate Health and Welfare on Feb 11, awaiting full hearing.*

To help those transitioning off 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.

**Bills signed into law:**

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

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

This is a 28-page bill being promoted 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 – Pharmacy Practice Act**](https://legislature.idaho.gov/sessioninfo/2019/legislation/H0010/) – 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 – Uniform Controlled Substances Act**](https://legislature.idaho.gov/sessioninfo/2019/legislation/H0011/) – 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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