



2021 LEGISLATIVE REPORT

Jan. 22, 2021

GREAT NEWS! IMA achieves delay to Idaho Patient Act

IMA is pleased to announce that after weeks of negotiations with Melaleuca alongside the Idaho Hospital Association, the Idaho Patient Act will be delayed to **July 1, 2021**. The agreement offers much-needed relief for physicians across Idaho who continue to fight on the front lines of the pandemic. Specifically, the agreement provides:

- Six-month delay to July 1, 2021.
- Clarifies that the new July 1, 2021 date pertains to the date the healthcare service was provided. The existing law required compliance with the Act prior to its effective date.
- The portion of the law that limits practices' ability to collect attorney's fees will remain in effect for those not fully compliant with the law during the January-July delay.

IMA expects legislation, that will delay the effective date of the Act, to move forward the week of Jan. 25. The bill will contain a special emergency clause that allows the delay to go into effect as soon as the bill passes the House and Senate and is signed by the governor. We extend thanks to Rep. Jason Monks (R-Nampa) and Sen. Kelly Anthon (R-Burley) for their leadership and assistance on this issue.

IMA and IHA will continue to engage with Melaleuca to seek improvements to the law, which are outlined the 2021 legislative talking points, to ensure that there are adequate protections for patients and no unnecessary burdens for physicians.

Legislature debates balance of legislative and executive powers

On Jan. 21, the House passed HJR 1, sponsored by Rep. Harris (R-Meridian), which would allow the Idaho Legislature to call itself into a special session if 60 percent of the legislators request to do so. Currently, the executive is the only branch of the Idaho government that can call a special session. Several other bills addressing the authorities of the executive and legislative branches, many relating to emergency and disaster declarations, are still awaiting debate in both the House and Senate. This will likely remain a focal point during this 2021 session.

House and Senate introduce bills to end Idaho's emergency declaration

On Jan. 22, Gov. Brad Little made a live announcement to Idaho denouncing the Legislature's efforts to terminate the state's current disaster emergency declaration and asked Idahoans to contact their legislators about this issue. IMA agrees with Gov. Little that Idaho legislators need to know what is at stake if the state emergency declarations are suddenly ended, and Idaho loses critical federal funding assistance. Specifically, Gov. Little and his staff have dedicated time and financial resources to ensuring frontline health workers can deliver the vaccine. Most of this financial assistance is tied to state emergency requirements to receive the federal funds that support these critical activities. This vital funding has also helped supply PPE and pay for the National Guard to help with the distribution of the vaccine. As Gov. Little said, the actions of ending the emergency declaration, "means this terrible pandemic and the disruption to our lives will be extended, not ended."

Senate Health and Welfare kills IDHW legislation to cut Medicaid

On Jan. 19, The Senate Health and Welfare Committee rejected a draft bill proposed by the Department of Health and Welfare that would have permitted the agency to enact mid-year Medicaid cuts to providers if the State of Idaho were to face a budget shortfall. Senators Lee, Agenbroad, Riggs, Harris, and Wintrow all expressed concerns with the legislation, especially due to the hardships providers faced in 2020, and opposed allowing the bill to be printed. The bill was not allowed to proceed on a voice vote.

Status: Will not move forward following a voice vote opposed to printing the bill

SJR 101: Illegal psychoactive drugs – SUPPORT

Sen. Scott Grow (R-Eagle) introduced a joint resolution that proposes a constitutional amendment that would prohibit the distribution, manufacturing, and use of illegal drugs. The legislation allows for drugs that are currently illegal to be exempted in the legislation's prohibition **IF** the Food and Drug Administration and the State of Idaho approve the use of a drug based on emerging science, which would prove the safety and therapeutic benefits of such drug. This legislation would need two-thirds support in the Senate and House. If this occurs, the prohibition would be included in the 2022 general

election for the consideration of Idahoans. The IMA Board of Trustees issued a supportive statement, citing the damaging effects of illegal drugs on Idaho families.

Status: Will be heard in the Senate State Affairs Committee on Jan. 25

Federal update

On Jan. 20, President Joe Biden and Vice-President Kamala Harris were sworn into office. The transition of administrations will mark significant policy shifts in the healthcare sector. In Congress, Democrats remain in control of the House of Representatives, albeit by a slimmer majority. The Senate is deadlocked at 50-50 with Vice-President Harris holding the tiebreaking vote, which means Democrats will control that chamber as well. However, with such a slim margin, bipartisan agreement will be necessary on many issues.

The new administration has nominated several key health officials including Surgeon General Vivek Murthy who served in that same role during the Obama administration and current California Attorney General Xavier Becerra for Secretary of Health and Human Services. The Biden administration released the following health priorities for the first 100 days in office:

1. 100 day mask requirement in federal facilities and interstate travel
2. Rejoining the World Health Organization (WHO)
3. Whole of government response to COVID
4. Extending the pause of student loans
5. Prohibiting workplace discrimination on the basis of gender identity or sexual orientation
6. Review the regulatory process

To view a list of ALL healthcare-related bills and their statuses, visit the IMA Bill Tracker on the IMA website

[IMA Bill Tracker](#)

Support IMPAC the IMA's Political Action Committee!



The IMA Political Action Committee (IMPAC) Board uses your contributions to support a variety of bi-partisan candidates based on the best interests of Idaho physicians and their patients.

With the pandemic and constantly changing health care policies, it is more important now than ever that IMA has the resources to support legislators who will listen to our concerns. IMPAC needs your contributions now to support the house of medicine in Idaho!

Donate to IMPAC today!

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