



# 2021 LEGISLATIVE REPORT

Feb. 19, 2021

## House approves legislation that would limit governor's emergency declaration powers

On Feb. 16, the House passed HB 135 which would make all jobs in Idaho essential and would require that emergency declarations by the governor can only last 60 days unless extended under certain purposes to receive federal funding. The bill also clarifies the governor may alter Idaho rules and regulations but not Idaho statutes during a disaster declaration. The IMA has expressed concerns to legislators on any bill which limits the ability of the governor to respond to a public health emergency and may cause unintended consequences such as limitations to vaccine distribution.

**Status:** HB 135 passed the House by a vote of 49-20 and will move to the Senate for further consideration

## Senate passes bill to require county approval for public health district orders

On Feb. 17, the Senate passed legislation which would require county commissioners to approve orders issued by their respective public health districts. This approach is a reasonable alternative to other legislation that would impact public health districts. SB 1060 is supported by all seven public health districts in Idaho.

**Status:** SB 1060 passed the Senate by a vote of 32-1 and will move to the House for further consideration

## Virtual care/telehealth legislation introduced in House and Senate

On Feb. 15, the House and Senate both introduced three different bills regarding telehealth and virtual care delivery in Idaho. The most significant of these is SB 1126, which is sponsored by Chairman Fred Martin of the Senate Health and Welfare Committee. The bill would improve and sustain telehealth utilization by modernizing definitions, upholding a high standard for establishing a provider-patient relationship, and creating a virtual care advisory board to make recommendations for increasing virtual care adoption and utilization in Idaho. The bill is modeled after recommendations from the Telehealth Task Force; IMA CEO Susie Keller was an appointed TTF member and provided extensive input to its work. IMA is a strong supporter of this legislation, along with many other health care organizations.

**Status:** SB 1126 will receive a hearing in Senate Health and Welfare on Wednesday, Feb. 24.

The other two legislative proposals that seek to make changes to virtual care in Idaho were also introduced on Feb. 15. HB 179 would permanently allow out-of-state health practitioners to provide telehealth services to Idaho patients without an Idaho license. IMA has expressed numerous concerns on HB 179 to key lawmakers and is opposed to this bill. SB 1127 would significantly lower the threshold for establishing a provider-patient relationship for telehealth from the existing standard of two-way audio or audio-visual connection to a broader definition that could allow for text, email, or voicemail. IMA has patient safety concerns with lowering the threshold and has expressed opposition to this bill with key lawmakers.

**Status:** HB 179 and SB 1127 are awaiting hearings before their respective House and Senate Health and Welfare committees.

## Vaccine prohibition bill passes House committee

On Feb. 17, the House Commerce and Human Resources Committee passed HB 140, which would prohibit any business that contracts with the state from requiring vaccines for their employees. This would essentially be a blanket prohibition on all physicians who contract with Medicaid from requiring their employees to be vaccinated. This applies to all vaccinations, not just COVID-19. IMA Director of Government Affairs Jamie Neill testified in opposition and expressed concerns that HB 140 restricts the ability of physicians and health care facilities from making the best decisions for their individual situations as employers. He also noted the bill increases liability exposure for physicians due to potentially unsafe environments for patients.

**Status:** HB 140 passed the House Commerce and Human Resources Committee by a vote of 10-4 and moves to the full House for consideration

## Naturopath bill introduced in Senate

On Feb. 15, SB 1128 was introduced by the Naturopathic Physicians Association of Idaho and would allow naturopaths that are currently unlicensed to receive a license through a newly established Board of Naturopathic Health Care under the Department of Occupational and Professional Licenses. IMA is strongly opposed to this legislation that would license and grant practice privileges to this group of naturopaths that are far beyond their appropriate education level.

**Status:** SB 1128 is awaiting a hearing in the Senate Commerce and Human Resources Committee

## Federal update

### COVID-19 relief and stimulus legislation

The Senate and House Democrats continue to work on another round of COVID-19 relief and stimulus legislation. Congressional Democrats are debating the levels of funding for vaccine distribution, stimulus checks, state and local government funding, a minimum wage increase, and a bailout for multi-employer pension plans. The American Medical Association is advocating for the inclusion of H.R. 315, the Medicare Sequester COVID Moratorium Act in the relief package. H.R. 315 would extend the moratorium on Medicare cuts through the duration of the public health emergency. It is unclear if H.R. 315 would be eligible for budget reconciliation (the process being used to pass relief legislation) under Senate rules. IMA recently joined a letter in support of H.R. 315.

**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!

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