

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 308

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO THE INDIGENT SICK; AMENDING SECTION 31-863, IDAHO CODE, TO  
2 REVISE THE LIMIT ON AN AD VALOREM TAX AND TO REMOVE REFERENCE TO THE  
3 MEDICALLY INDIGENT; AMENDING SECTION 31-3401, IDAHO CODE, TO PROVIDE  
4 A CORRECT CODE REFERENCE; REPEALING SECTION 31-3501, IDAHO CODE, RE-  
5 LATING TO DECLARATION OF POLICY; REPEALING SECTION 31-3502, IDAHO  
6 CODE, RELATING TO DEFINITIONS; AMENDING SECTION 31-3503, IDAHO CODE,  
7 TO REMOVE REFERENCE TO SERVICES FOR THE MEDICALLY INDIGENT; REPEAL-  
8 ING SECTION 31-3503A, IDAHO CODE, RELATING TO POWERS AND DUTIES OF THE  
9 BOARD; REPEALING SECTION 31-3503B, IDAHO CODE, RELATING TO RECIPROCAL  
10 AGREEMENTS AND OUT-OF-STATE TREATMENT; REPEALING SECTION 31-3503C,  
11 IDAHO CODE, RELATING TO POWERS AND DUTIES OF THE DEPARTMENT; REPEAL-  
12 ING SECTION 31-3503D, IDAHO CODE, RELATING TO COUNTY PARTICIPATION  
13 AND CONTRIBUTION; REPEALING SECTION 31-3503E, IDAHO CODE, RELATING TO  
14 MEDICAID ELIGIBILITY DETERMINATION; REPEALING SECTION 31-3503F, IDAHO  
15 CODE, RELATING TO MEDICAL HOME; REPEALING SECTION 31-3504, IDAHO CODE,  
16 RELATING TO APPLICATION FOR FINANCIAL ASSISTANCE; REPEALING SECTION  
17 31-3505, IDAHO CODE, RELATING TO TIME AND MANNER OF FILING APPLICATIONS  
18 FOR FINANCIAL ASSISTANCE; REPEALING SECTION 31-3505A, IDAHO CODE, RE-  
19 LATING TO INVESTIGATION OF APPLICATION BY THE CLERK; REPEALING SECTION  
20 31-3505B, IDAHO CODE, RELATING TO APPROVAL BY THE COUNTY COMMISSIONERS;  
21 REPEALING SECTION 31-3505C, IDAHO CODE, RELATING TO INITIAL DECISI-  
22 ON BY THE COUNTY COMMISSIONERS; REPEALING SECTION 31-3505D, IDAHO  
23 CODE, RELATING TO APPEAL OF INITIAL DETERMINATION DENYING AN APPLICA-  
24 TION; REPEALING SECTION 31-3505E, IDAHO CODE, RELATING TO HEARING ON  
25 APPEAL OF INITIAL DETERMINATION DENYING AN APPLICATION; REPEALING SEC-  
26 TION 31-3505F, IDAHO CODE, RELATING TO ARBITRATION; REPEALING SECTION  
27 31-3505G, IDAHO CODE, RELATING TO PETITION FOR JUDICIAL REVIEW OF FI-  
28 NAL DETERMINATION; REPEALING SECTION 31-3506, IDAHO CODE, RELATING TO  
29 OBLIGATED COUNTY; REPEALING SECTION 31-3507, IDAHO CODE, RELATING TO  
30 TRANSFER OF A MEDICALLY INDIGENT PATIENT; REPEALING SECTION 31-3508,  
31 IDAHO CODE, RELATING TO LIMITATIONS ON PAYMENTS FOR NECESSARY MEDICAL  
32 SERVICES; REPEALING SECTION 31-3508A, IDAHO CODE, RELATING TO PAYMENT  
33 FOR NECESSARY MEDICAL SERVICES BY AN OBLIGATED COUNTY; REPEALING SEC-  
34 TION 31-3509, IDAHO CODE, RELATING TO ADMINISTRATIVE OFFSETS AND COL-  
35 LECTIONS BY HOSPITALS AND PROVIDERS; REPEALING SECTION 31-3510, IDAHO  
36 CODE, RELATING TO RIGHT OF SUBROGATION; REPEALING SECTION 31-3510A,  
37 IDAHO CODE, RELATING TO REIMBURSEMENT; REPEALING SECTION 31-3511,  
38 IDAHO CODE, RELATING TO VIOLATIONS AND PENALTIES; AMENDING SECTION  
39 31-3514, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; REPEALING  
40 SECTION 31-3517, IDAHO CODE, RELATING TO ESTABLISHMENT OF A CATA-  
41 STROPHIC HEALTH CARE COST PROGRAM; REPEALING SECTION 31-3518, IDAHO  
42 CODE, RELATING TO ADMINISTRATIVE RESPONSIBILITY; REPEALING SECTION  
43 31-3519, IDAHO CODE, RELATING TO APPROVAL AND PAYMENT BY THE BOARD; RE-  
44 PEALING SECTION 31-3520, IDAHO CODE, RELATING TO CONTRACT FOR PROVISION  
45

1 OF NECESSARY MEDICAL SERVICES FOR THE MEDICALLY INDIGENT; REPEALING  
 2 SECTION 31-3521, IDAHO CODE, RELATING TO EMPLOYMENT OF PHYSICIAN; RE-  
 3 PEALING SECTION 31-3550, IDAHO CODE, RELATING TO DECLARATION OF PUBLIC  
 4 POLICY; REPEALING SECTION 31-3551, IDAHO CODE, RELATING TO ADVISORY  
 5 PANEL FOR PRELITIGATION CONSIDERATION OF INDIGENT RESOURCE ELIGIBILITY  
 6 CLAIMS AND PROCEDURE; REPEALING SECTION 31-3552, IDAHO CODE, RELATING  
 7 TO APPOINTMENT AND COMPOSITION OF ADVISORY PANEL; REPEALING SECTION  
 8 31-3553, IDAHO CODE, RELATING TO ADVISORY DECISIONS OF PANEL; REPEALING  
 9 SECTION 31-3554, IDAHO CODE, RELATING TO TOLLING OF LIMITATION PERI-  
 10 ODS DURING PENDENCY OF PROCEEDINGS; REPEALING SECTION 31-3555, IDAHO  
 11 CODE, RELATING TO STAY OF COURT PROCEEDINGS IN INTEREST OF HEARING BE-  
 12 FORE PANEL; REPEALING SECTION 31-3556, IDAHO CODE, RELATING TO EXPENSES  
 13 FOR ADVISORY PANEL MEMBERS; REPEALING SECTION 31-3557, IDAHO CODE,  
 14 RELATING TO FREQUENCY OF AND AGENDA FOR MEETINGS; REPEALING SECTION  
 15 31-3558, IDAHO CODE, RELATING TO NONDISCLOSURE OF PERSONAL IDENTIFYING  
 16 INFORMATION; AND REPEALING SECTION 57-813, IDAHO CODE, RELATING TO CAT-  
 17 ASTROPHIC HEALTH CARE COST ACCOUNT; AND PROVIDING AN EFFECTIVE DATE.

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

19 SECTION 1. That Section 31-863, Idaho Code, be, and the same is hereby  
 20 amended to read as follows:

21 31-863. LEVY FOR CHARITIES FUND. For the purpose of nonmedical indi-  
 22 gent assistance pursuant to chapter 34, title 31, Idaho Code, ~~and for the~~  
 23 ~~purpose of providing financial assistance on behalf of the medically indi-~~  
 24 ~~gent, pursuant to chapter 35, title 31, Idaho Code,~~ said boards are autho-  
 25 rized to levy an ad valorem tax not to exceed ~~ten~~ two hundredths of one per-  
 26 cent (.102%) of the market value for assessment purposes of all taxable prop-  
 27 erty in the county.

28 SECTION 2. That Section 31-3401, Idaho Code, be, and the same is hereby  
 29 amended to read as follows:

30 31-3401. POWERS AND DUTIES OF THE BOARD OF COUNTY COMMISSIONERS. The  
 31 boards of county commissioners in their respective counties shall, under  
 32 such limitations and restrictions as are prescribed by law, evaluate the  
 33 need and provide to indigent person(s) nonmedical assistance in a temporary  
 34 situation only when no alternatives exist. Nothing in this chapter shall  
 35 imply county assistance is to be provided on a continuing basis. Boards of  
 36 county commissioners, by resolution, shall promulgate policies and proce-  
 37 dures, may negotiate payment to providers, and may contract for nonmedical  
 38 services, pursuant to this chapter. For the purpose of funding nonmedical  
 39 services for indigent persons, boards of county commissioners are autho-  
 40 rized to levy an ad valorem tax pursuant to section 31-~~3503~~3863, Idaho Code.

41 SECTION 3. That Sections 31-3501 and 31-3502, Idaho Code, be, and the  
 42 same are hereby repealed.

43 SECTION 4. That Section 31-3503, Idaho Code, be, and the same is hereby  
 44 amended to read as follows:

1           31-3503. POWERS AND DUTIES OF COUNTY COMMISSIONERS. The county com-  
2 missioners in their respective counties shall, under such limitations and  
3 restrictions as are prescribed by law, ~~+~~

4           ~~(1) Pay for necessary medical services for the medically indigent res-~~  
5 ~~idents of their counties as provided in this chapter and as approved by the~~  
6 ~~county commissioners at the reimbursement rate up to the total sum of eleven~~  
7 ~~thousand dollars (\$11,000) in the aggregate per resident in any consecutive~~  
8 ~~twelve (12) month period or contract for the provision of necessary medical~~  
9 ~~services pursuant to sections 31-3520 and 31-3521, Idaho Code.~~

10           ~~(2) Have the right to contract with providers, transfer patients, ne-~~  
11 ~~gotiate provider agreements, conduct utilization management or any portion~~  
12 ~~thereof, pay for authorized expenses directly, or indirectly through the~~  
13 ~~use of alternative programs, that would assist in managing costs of provid-~~  
14 ~~ing health care for indigent persons, and all other powers incident to the~~  
15 ~~county's duties created by this chapter.~~

16           ~~(3) Cooperate with the department, the board and contractors retained~~  
17 ~~by the department or the board to provide services including, but not limited~~  
18 ~~to, medicaid eligibility review and utilization management on behalf of the~~  
19 ~~counties and the board.~~

20           ~~(4) H~~have the jurisdiction and power to provide county hospitals and  
21 public general hospitals for the county and others who are sick, injured,  
22 maimed, aged and infirm and to erect, enlarge, purchase, lease, or otherwise  
23 acquire, and to officer, maintain and improve hospitals, hospital grounds,  
24 nurses' homes, shelter care facilities and residential or assisted living  
25 facilities as defined in section 39-3301, Idaho Code, superintendent's  
26 quarters, medical clinics, as that term is defined in section 39-1319, Idaho  
27 Code, medical clinic grounds or any other necessary buildings, and to equip  
28 the same, and to replace equipment, and for this purpose said commissioners  
29 may levy an additional tax of not to exceed six hundredths percent (.06%) of  
30 the market value for assessment purposes on all taxable property within the  
31 county. The term "public general hospitals" as used in this subsection shall  
32 be construed to include nursing homes.

33           SECTION 5. That Sections [31-3503A](#) through [31-3503F](#), Idaho Code, be, and  
34 the same are hereby repealed.

35           SECTION 6. That Sections [31-3504](#) through [31-3511](#), Idaho Code, be, and  
36 the same are hereby repealed.

37           SECTION 7. That Section 31-3514, Idaho Code, be, and the same is hereby  
38 amended to read as follows:

39           31-3514. INTERNAL MANAGEMENT -- ACCOUNTS AND REPORTS. Such facilities  
40 as referred to in section 31-3503(2), Idaho Code, may suitably provide for  
41 and accept other patients and must charge and accept payments from such other  
42 patients as are able to make payments for services rendered and care given.  
43 The county commissioners may make suitable rules and regulations for the  
44 management and operation of such property by a suitable board of control, or  
45 otherwise, or for carrying out such hospital uses and purposes under a lease  
46 of the same.

1           The boards or officers or lessees of such hospital property shall render  
2 accounts and reports to the county commissioners as may be required by the  
3 county commissioners; and shall render accounts and deliver over any and all  
4 moneys received by them for the county to the county treasurer to be credited  
5 to the operation expense of hospitals and indigent sick and otherwise depen-  
6 dent poor of the county in such manner as provided by law for the handling of  
7 funds of this kind.

8           Said board of control may permit persons from out of the county where  
9 such hospital is located to be admitted for hospitalization to such hospi-  
10 tal. As to such cases special rates for the use and service of such hospi-  
11 tal may be provided which rates shall apply equally to all such patients who  
12 do not pay taxes within the county where such hospital is located. The pur-  
13 pose of providing such special rates shall be to compel persons living out of  
14 the county where such hospital is located, and who receive hospitalization  
15 in such hospital, to bear a just burden of the cost of construction and main-  
16 tenance of such hospital.

17           SECTION 8. That Sections [31-3517](#) through [31-3521](#), Idaho Code, be, and  
18 the same are hereby repealed.

19           SECTION 9. That Sections [31-3550](#) through [31-3558](#), Idaho Code, be, and  
20 the same are hereby repealed.

21           SECTION 10. That Section [57-813](#), Idaho Code, be, and the same is hereby  
22 repealed.

23           SECTION 11. This act shall be in full force and effect on and after Jan-  
24 uary 1, 2014.