

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 398, As Amended in the Senate

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO MEDICAID; AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE AD-  
2 DITION OF A NEW SECTION 56-270, IDAHO CODE, TO PROVIDE FOR LEGISLATIVE  
3 APPROVAL OF STATE PLAN AMENDMENTS AND CERTAIN WAIVERS; AND DECLARING AN  
4 EMERGENCY.  
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6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Chapter 2, Title 56, Idaho Code, be, and the same is  
8 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
9 ignated as Section 56-270, Idaho Code, and to read as follows:

10 56-270. LEGISLATIVE APPROVAL OF WAIVERS AND STATE PLAN AMEND-  
11 MENTS. Notwithstanding any provision of law to the contrary, the state  
12 department of health and welfare shall not seek or implement a medicaid state  
13 plan amendment or a waiver pursuant to section 1115 or 1915 of the social  
14 security act that would expand coverage to any additional individuals or  
15 class of individuals or would increase any cost to the state without first  
16 obtaining approval from the legislature. Such approval must be provided  
17 in statute. The provisions of this section shall not affect any state plan  
18 amendment or waiver program already implemented as of the effective date of  
19 this section.

20 SECTION 2. An emergency existing therefor, which emergency is hereby  
21 declared to exist, this act shall be in full force and effect on and after its  
22 passage and approval.