

IN THE HOUSE OF REPRESENTATIVES

HOUSE CONCURRENT RESOLUTION NO. 12

BY HEALTH AND WELFARE COMMITTEE

A CONCURRENT RESOLUTION

1
2 STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE DE-
3 PARTMENT OF HEALTH AND WELFARE RELATING TO MEDICAID ENHANCED PLAN BENE-
4 FITS.

5 Be It Resolved by the Legislature of the State of Idaho:

6 WHEREAS, the Legislature is vested with authority to reject executive
7 agency rules under the provisions of Section 67-5291, Idaho Code, in the
8 event that the Legislature finds that the rules are not consistent with leg-
9 islative intent; and

10 WHEREAS, it is the finding of the Legislature that a certain rule of the
11 Department of Health and Welfare relating to Medicaid Enhanced Plan Benefits
12 is not consistent with legislative intent and should be rejected.

13 NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Ses-
14 sion of the Sixty-first Idaho Legislature, the House of Representatives and
15 the Senate concurring therein, that IDAPA 16.03.10, Department of Health and
16 Welfare Rules Governing Medicaid Enhanced Plan Benefits, Section 663, Chil-
17 dren's HCBS State Plan Option: Coverage and Limitations, Subsection 02.a
18 relating to Habilitative Supports, only, adopted as a pending rule under
19 Docket Number 16-0310-1002, be, and the same is hereby rejected and declared
20 null, void and of no force and effect.