

IN THE HOUSE OF REPRESENTATIVES

HOUSE CONCURRENT RESOLUTION NO. 23

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

1
2 STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE
3 DEPARTMENT OF HEALTH AND WELFARE RELATING TO MEDICAID BASIC 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 Basic Plan Benefits is
12 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 16.03.09, Medicaid Basic Plan Ben-
16 efits, Section 514, Abortion Procedures: Provider Qualifications and Du-
17 ties, Subsection 01.d. relating to Documentation that the woman was under
18 the age of eighteen (18) at the time of sexual intercourse, only, relating
19 to Rules of the Department of Health and Welfare, adopted as a permanent rule
20 under Docket Number 16-0309-0604, be, and the same is hereby rejected and de-
21 clared null, void and of no force and effect.