

IN THE HOUSE OF REPRESENTATIVES
HOUSE CONCURRENT RESOLUTION NO. 40
BY HEALTH AND WELFARE COMMITTEE

1 A CONCURRENT RESOLUTION
2 STATING FINDINGS OF THE LEGISLATURE AND APPROVING PENDING RULES OF THE DE-
3 PARTMENT OF HEALTH AND WELFARE REVIEWED BY THE HOUSE HEALTH AND WELFARE
4 COMMITTEE WITH AN EXCEPTION.

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

6 WHEREAS, pursuant to Section 67-5291, Idaho Code, the Legislature must
7 approve pending administrative rules by adoption of a concurrent resolu-
8 tion; and

9 WHEREAS, pursuant to the provisions of Section 67-5291, Idaho Code, any
10 pending rule that is not approved by adoption of a concurrent resolution
11 shall expire upon adjournment sine die of the legislative session during
12 which the agency submits the pending rule to the Legislature for review; and

13 WHEREAS, the House Health and Welfare Committee reviewed pending rules
14 adopted by the Department of Health and Welfare; and

15 WHEREAS, it is the finding of the Legislature that certain rules of the
16 Department of Health and Welfare, Skilled Nursing Facilities, are not con-
17 sistent with legislative intent; and

18 WHEREAS, the Legislature finds that it is in the public interest to
19 adopt this resolution.

20 NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Ses-
21 sion of the Sixty-seventh Idaho Legislature, the House of Representatives
22 and the Senate concurring therein, that pending rules adopted by the Depart-
23 ment of Health and Welfare, Skilled Nursing Facilities, pursuant to the Ad-
24 ministrative Procedure Act and submitted through the Office of the Admin-
25 istrative Rules Coordinator to the Legislature for review during the 2024
26 legislative session and reviewed by the House Health and Welfare Committee,
27 be, and the same are hereby approved, with the exception of IDAPA 16.03.02,
28 Skilled Nursing Facilities, Docket No. 16-0302-2301, Section 200., Subsec-
29 tion 02.d., only, that is rejected and not approved, and thereby pursuant to
30 Section 67-5291, Idaho Code, shall expire upon adjournment sine die of the
31 legislative session and be null, void, and of no force and effect.