



Benn Brocksome
&
ASSOCIATES

Week 2 Idaho Legislative Update for January 18-22, 2021

The second week of the First Regular Session of the Sixty-sixth Idaho Legislature saw a significant increase in committee meetings and hearings. Several committees continue to introduce legislation while other committees are meeting for the first time. The Joint Finance-Appropriations Committee (JFAC) continues to work through the budget process in conjunction with departments and agencies requesting budget approvals.

As the session continues, many Chairmen are allowing legislators to introduce legislative bills first in their committees and have chosen to delay agency bills and rulemaking for later in the session. Other Chairmen have started in on reviewing rules, and some Senate Chairmen are working through Gubernatorial appointments. Finally, other Chairmen are beginning to work through their assigned rulemaking obligations in conjunction with the introduction of agency legislation and other general legislation. This hybrid and disjointed approach to doing the people's business has been both jarring and confusing. This will continue for the duration of the 2021 session.

This confusing session kicked off with legislation to limit executive branch powers. These bills and resolutions have begun to be debated on the House and Senate floors, with more bills on the way. As they are heard, bills can be amended, however resolutions cannot, leading to the possibility for multiple similar resolutions being debated before achieving a final vote. Both the Senate and the House State Affairs committees mentioned this as a possibility in committee this week.

While it is only the end of the second week of the session, Governor Little held a press conference to close out a very contentious week on Friday, January 22. His comments pertaining to legislative actions surrounding Idaho's Emergency declarations were both bold and direct. Governor Little outlined the federal funding components and other vital parts of the relief effort for Idaho while also reiterating the strong position Idaho holds against the backdrop of the rest of the nation. Governor Little stated the importance of this funding to handle the logistics of administering vaccines and funding to protect Idaho from COVID-19, and at the same time, he offered a stern rebuke to the legislature for their mischaracterizations of him and the state's handling of the pandemic.

The Governor finished his comments by saying that if the emergency declaration ended, the cost and burden will be shifted to Idaho's citizens and jeopardize the state's economic recovery process and Idahoans' lives.

Here is the link to the [PRESS CONFERENCE](#), and the [PRESS RELEASE](#) directly following the Press Conference.

Despite the contentious atmosphere, many legislators are reaching out and eager to help with our priorities. Despite the pandemic and safety protocols, we are finding new and different ways to work with legislators both remotely and in-person to achieve your goals and advance your ideas. We will continue to safely and respectfully participate in the process to advocate on your behalf.

All bills from the session can be tracked [HERE](#). We monitor this daily and will be on the lookout for anything that may be of relevance.



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Policy Update

[SJR101](#) - Printed – In Committee - Senate State Affairs Committee

Senator Grow presented SJR 101, a constitutional amendment that would stop Idaho from legalizing controlled substances. This bill would add a code reference to the Idaho constitution. As Idaho Code is updated, the Idaho Constitution would refer to that section of the code.

[S1017](#) – Printed – In Committee – Senate Health and Welfare Committee

Senate Bill 1017 Uniform Controlled Substances Act was presented to the Senate Health and Welfare Committee by Tim Frost, Regulatory Affairs Manager, Division of Occupational and Professional, to mirror Federal Drug Enforcement Administration substance scheduling and descheduling decisions for 2020. The members moved to print the bill quickly and will be brought before the committee for a hearing early next week.

[Senate Bill 1012](#) – Printed – in committee - Senate Commerce and Human Resources Committee

Senate Bill 1012 related to the Board of Dentistry was introduced and moved to print by the Senate Commerce and Human Resources Committee. It was presented by Susan Miller, Executive Director of the Board of Dentistry. The bill is for technical cleanup of obsolete and outdated sections of code and to ensure dentist cannot limit a patient's right to file a complaint with the Board of Dentistry. This bill will be heard for the committee consideration, as soon as next week.

Rules:

Agency rules need approval of both the House and Senate, first approved in committee then overall vote in a wrap-up "omnibus" bill at the end of the session. Rules then become effective upon adjournment of the Legislature.

Board of Dentistry Rules

These rules were an entire review and rewrite of the Board rules to comply with the Red-Tape Reduction Act to eliminate unnecessary rules and obstacles to licensure.

Rules Approved by House Health and Welfare Committee 1/19

[Agenda and Dockets](#)

24-1601-2000F Dentistry

24-3101-2000F Dentistry

24-3300-2000F Board of Medicine - Omnibus

24-3401-2000F Nursing

24-3601-2000F Pharmacy

24-3303-2001 Board of Medicine - General Provisions

Rules Approved by Senate health and Welfare 1/20

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24-1001-2000F State Board of Optometry
24-1601-2000F State Board of Dentistry
24-3101-2000F Idaho State Board of Dentistry
24-3601-2000F Idaho State Board of Pharmacy
24-3303-2001 General Provisions of the Board of Medicine
Rules Approved by House Health and Welfare Committee 1/21

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16-0309-2002 Medicaid Basic Plan Benefits David Welsh, Bureau Chief
16-0309-2004 Medicaid Basic Plan Benefits Alexandra Fernandez, Bureau Chief
16-0310-2002 Medicaid Enhanced Plan Benefits Alexandra Fernandez, Bureau Chief
16-0000-2000F Omnibus for Fee Rules Lori Wolff, Deputy Director

Meetings

Benn Brocksome and Associates met with Health and Welfare Committee members. This week we sat down with Chairmen of both Health and Welfare Committees on issues and bills that the committee may see during the session. We will continue to set meetings with members to understand and work with committee members through the session.

Meetings

Member of House Health and Welfare Representative Lickley
Chairman of Senate Health and Welfare Senator Martin
Majority Caucus Chair, and Member of Senate Health and Welfare Senator Harris
Chairman of House Health and Welfare Committee Representative Fred Wood
Majority Caucus Chair and Member House Health and Welfare Committee Representative Megan Blanksma