

HOUSE CONCURRENT RESOLUTION NO. 13

LEGISLATURE OF THE STATE OF IDAHO
SIXTY-FIRST LEGISLATURE FIRST REGULAR SESSION - 2011

IN THE HOUSE OF REPRESENTATIVES
HOUSE CONCURRENT RESOLUTION NO. 13
BY HEALTH AND WELFARE COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE
AND REJECTING CERTAIN RULES OF THE DEPARTMENT OF HEALTH AND WELFARE
RELATING TO MEDICAID ENHANCED PLAN BENEFITS.

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-first Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 16.03.10, Department of Health and Welfare Rules Governing Medicaid Enhanced Plan Benefits, Section 270, Nursing Facility: Special Rates, Subsection 03 relating to Reporting and 07 relating to Treatment of the Special Rate Cost for Future Rate Setting Periods, only, adopted as pending rules under Docket Number 16-0310-1003, be, and the same are hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS20409

This concurrent resolution would reject two subsections in a pending rule of the Department of Health and Welfare relating to Medicaid Enhanced Plan Benefits as being not consistent with Legislative intent. The effect of this resolution, if adopted by both houses, would be to prevent the two subsections from going into effect.

FISCAL NOTE

This concurrent resolution has no fiscal impact.

Adopted: March 4, 2011.