

# SENATE CONCURRENT RESOLUTION NO. 114

LEGISLATURE OF THE STATE OF IDAHO  
Sixty-First Legislature, Second Regular Session - 2012

IN THE SENATE  
SENATE CONCURRENT RESOLUTION NO. 114  
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 Second Regular Session of the Sixty-first Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 16.03.10, Department of Health and Welfare, Rules Governing Medicaid Enhanced Plan Benefits, Section 119, Subsections 02.b and 03, Section 140, Subsections 08.b and 09, Section 659, Subsections 01.b and 02, Section 706, Subsections 04 and 05, and Section 736, Subsections 09 and 10, only, adopted as pending rules under Docket Number 16-0310-1104, 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 RS21166

This concurrent resolution would reject seven subsections and three paragraphs in a pending rule of the Department of Health and Welfare relating to Medicaid Enhanced Plan Benefits. The effect of this concurrent resolution, if adopted by both houses, would be to prevent the seven subsections and three paragraphs from going into effect.

### FISCAL NOTE

This concurrent resolution has no fiscal impact.

Contact:  
Name: Senator Patti Anne Lodge

Adopted: March 21, 2012.