

Moved by Hagedorn

Seconded by Martin

IN THE SENATE
SENATE AMENDMENT TO H.B. NO. 644

AMENDMENT TO THE BILL

1
2 On page 1 of the printed bill, following line 9, insert:

3 "SECTION 1. That Chapter 2, Title 56, Idaho Code, be, and the same is
4 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
5 ignated as Section 56-267, Idaho Code, and to read as follows:

6 56-267. IDAHO ACCOUNTABLE CARE WAIVER ACT. (1) This section shall be
7 known and may be cited as the "Idaho Accountable Care Waiver Act."

8 (2) The definitions provided in section 56-252, Idaho Code, shall apply
9 to this section.

10 (3) The director is authorized to apply for a waiver from the federal
11 centers for medicare and medicaid services that conforms to the provisions
12 of this section. Upon receipt of approval of the waiver from the centers for
13 medicare and medicaid services, the waiver shall be approved by the legisla-
14 ture before the director initiates enrollment pursuant to this section.

15 (a) The waiver shall clearly articulate best practices for commu-
16 nity-based coordinated care that emphasizes outcomes and elimination
17 of the fee-for-service model and Idaho-based evidence for population
18 management. Specifically, the department shall look to the out-
19 come-based models for primary care medical homes as currently being
20 demonstrated to improve utilization patterns and outcomes. The de-
21 partment shall use the best aggregate data available for Idaho's gap
22 population from Idaho's community health centers, current health and
23 welfare data, and data available from the state health innovation plan.

24 (b) The waiver shall clearly articulate accountability for benefit re-
25 cipients and providers. Using Idaho-based best practices, the waiver
26 application shall clearly articulate risk-bearing, outcome-based in-
27 centives for community care organizations to ensure that every effort
28 is made to link Idahoans with primary care providers and reduce ineffi-
29 cient care.

30 (c) The waiver shall clearly articulate best practices for population
31 management being employed in Idaho community health centers and in co-
32 ordination with the findings of the state health innovation plan. Care
33 shall be coordinated between primary medical, specialty medical and
34 mental health resources through an outcome-based primary care medical
35 home.

36 (4) Upon receipt of approval from the centers for medicare and medic-
37 aid services and upon approval of the legislature by concurrent resolution
38 pursuant to subsection (3) of this section, the state shall provide for
39 managed medicaid services to those persons under sixty-five (65) years
40 of age whose modified adjusted gross income is below one hundred percent

1 (100%) of the federal poverty level and who are not otherwise eligible
 2 for any other coverage under the state plan, in accordance with sections
 3 1902(a)(10)(A)(i)(VIII) and 1902(e)(14) of the social security act. If at
 4 any time the federal financial participation rate falls below the ninety
 5 percent (90%) commitment described in 42 U.S.C. 1396d(y), then the provi-
 6 sions of this section shall be null and void.

7 (5) The director is required and authorized to take the actions neces-
 8 sary to implement the provisions of this act.

9 (6) In addition to the responsibilities assigned to the director by
 10 subsection (3) of this section, the director shall provide a monthly report
 11 on the progress of the creation of the application for waiver. The report
 12 shall be made to a committee appointed by the speaker of the house of repre-
 13 sentatives and the president pro tempore of the senate. The committee shall
 14 consist of three (3) members of the majority party from each house and one
 15 (1) member of the minority party from each house and shall consult with the
 16 director on the progress of the application. The monthly report shall be
 17 made in person or telephonically and shall be open to the public. After the
 18 waiver has been approved by the legislature, the committee shall disband.
 19 Expenses incurred by members of the committee shall be paid from moneys in
 20 the legislative account.";

21 and in line 10, following "SECTION" delete "1" and insert: "2".

22 On page 2, in line 49, delete "2" and insert: "3"; and following line 50,
 23 insert:

24 "SECTION 4. LEGISLATIVE INTENT -- BENEFIT RECIPIENTS. It is the intent
 25 of the Legislature that the provisions of this act will promote self-suffi-
 26 ciency among any benefit recipients. The Legislature recognizes that those
 27 impacted by this act do not have the ability to change circumstances leading
 28 to their eligibility for any benefit, but in no way intends that the benefits
 29 derived from this shall impede job-creation or wage-increasing initiatives
 30 that might change the eligibility status of benefit recipients.

31 SECTION 5. LEGISLATIVE INTENT -- UNSUCCESSFUL WAIVER APPLICATION. If,
 32 after a waiver application is submitted in accordance with this act, the ap-
 33 plication is unsuccessful, the enabling language in Section 1 of this act
 34 shall be null and void.

35 SECTION 6. LEGISLATIVE INTENT -- FUTURE LEGISLATURES NOT BOUND. If, af-
 36 ter a waiver application is submitted in accordance with this act, the appli-
 37 cation is successful, future legislatures shall have the power to reject the
 38 successful waiver.

39 SECTION 7. LEGISLATIVE INTENT. It is the intent of the Legislature that
 40 should a successful waiver under Section 1 of this act be accepted by the Leg-
 41 islature and implemented, then the state will work with hospitals and commu-
 42 nity care organizations to eliminate the use of county medical indigent and
 43 CAT fund programs as safety nets.

44 SECTION 8. An emergency existing therefor, which emergency is hereby
 45 declared to exist, this act shall be in full force and effect on and after its
 46 passage and approval."

CORRECTION TO TITLE

1
2 On page 1, in line 2, following "CARE;" insert: "AMENDING CHAPTER 2,
3 TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-267, IDAHO CODE, TO
4 PROVIDE A SHORT TITLE, TO CLARIFY THE APPLICATION OF CERTAIN DEFINITIONS,
5 TO AUTHORIZE THE DIRECTOR OF THE STATE DEPARTMENT OF HEALTH AND WELFARE TO
6 APPLY FOR A CERTAIN WAIVER FROM THE FEDERAL CENTERS FOR MEDICARE AND MEDICAID
7 SERVICES, TO PROVIDE THAT THE STATE SHALL PROVIDE MANAGED MEDICAID SERVICES
8 TO CERTAIN PERSONS, TO PROVIDE THAT THE DIRECTOR IS REQUIRED AND AUTHORIZED
9 TO TAKE CERTAIN ACTIONS AND TO PROVIDE THAT THE DIRECTOR SHALL MAKE CERTAIN
10 REPORTS TO A LEGISLATIVE COMMITTEE"; in line 7, following "INTENT;" delete
11 "AND"; and in line 8, following "DATE" insert: "PROVIDING LEGISLATIVE IN-
12 TENT REGARDING SELF-SUFFICIENCY OF MEDICAID BENEFIT RECIPIENTS; PROVIDING
13 LEGISLATIVE INTENT REGARDING AN UNSUCCESSFUL WAIVER APPLICATION; PROVIDING
14 LEGISLATIVE INTENT REGARDING A SUCCESSFUL WAIVER APPLICATION; PROVIDING
15 LEGISLATIVE INTENT REGARDING IMPLEMENTATION; AND DECLARING AN EMERGENCY".