

Moved by Burgoyne

Seconded by Harris

IN THE SENATE
SENATE AMENDMENT TO S.B. NO. 1363

AMENDMENT TO SECTION 2

1
2 On page 5 of the printed bill, in line 16, following "govern" insert:
3 "unless otherwise required by governing federal law".

AMENDMENT TO SECTION 3

4
5 On page 5, in line 20, following "~~that~~" insert: "the Idaho personnel com-
6 mission,".

AMENDMENT TO SECTION 6

7
8 On page 7, in line 12, following "agency," insert: "other than the office
9 of administrative hearings,".

AMENDMENT TO SECTION 12

10
11 On page 11, in line 17, delete "nine (9)" and insert: "ten (10)"; delete
12 line 36, and insert:

13 " (e) Three (3) members of the public appointed by the governor, none
14 of";

15 and delete lines 40 and 41, and insert: "state bar. None of the other public
16 members shall be an attorney or former attorney. One (1) of the nonattorney
17 public members shall be a member of an advocacy organization serving persons
18 eligible for public assistance benefits.".

19 On page 12, in line 4, delete "but" and insert: "and"; and in line 5,
20 delete "require six (6) votes" and insert: "be taken by majority vote".

AMENDMENT TO SECTION 13

21
22 On page 12, in line 33, following "PROCEEDINGS." insert: "(1)"; and fol-
23 lowing line 42, insert:

24 "(2) The department of health and welfare shall expeditiously submit to
25 the centers for medicare and medicaid services (CMS) all that may be required
26 for CMS to approve the conduct of department of health and welfare contested
27 case hearings by the office of administrative hearings commencing on January
28 1, 2022, as provided for in subsections (1) and (3) of this section, includ-
29 ing but not limited to state plan amendments, waivers, and memorandums of
30 agreement. The governor, by and through the director, shall retain the au-
31 thority to exercise appropriate oversight of hearings necessary to comply
32 with requirements described in 42 U.S.C. 1396a and related regulations.

33 (3) The governor may, after notice to the chief administrative hear-
34 ing officer and the advisory council, extend the date on which the office of
35 administrative hearings is to commence conducting department of health and
36 welfare contested case hearings as provided for in subsection (1) of this
37 section until CMS has approved the conduct of hearings by the office of ad-
38 ministrative hearings.".

CORRECTION TO TITLE

1
2 On page 1, in line 33, following "PROCEEDINGS" insert: ", TO PROVIDE FOR
3 THE SUBMISSION OF CERTAIN MATERIAL BY THE DEPARTMENT OF HEALTH AND WELFARE TO
4 THE CENTERS FOR MEDICARE AND MEDICAID SERVICES, TO AUTHORIZE CERTAIN OVER-
5 SIGHT, AND TO PROVIDE FOR EXTENSION OF COMMENCEMENT OF SPECIFIED CONTESTED
6 CASE HEARINGS UNDER A CERTAIN CONDITION".