LEGISLATURE OF THE STATE OF IDAHO

Sixty-seventh Legislature First Regular Session - 2023

IN THE HOUSE OF REPRESENTATIVES

HOUSE CONCURRENT RESOLUTION NO. 5

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 RESIDENTIAL ASSISTED LIVING FACILITIES.

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 Residential Assisted Living Facilities 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-seventh Idaho Legislature, the House of Representatives and the Senate concurring therein, that final rule contained in IDAPA 16.03.22, Section 152., Subsection 03.b.viii.; IDAPA 16.03.22, Section 152., Subsection 03.b.ix.; and IDAPA 16.03.22, Section 152., Subsection 03.b.x., relating to Residential Assisted Living Facilities, Rules of the Department of Health and Welfare, only, be, and the same are hereby rejected and declared null, void, and of no force and effect.