

MINUTES
HOUSE BUSINESS COMMITTEE

DATE: Monday, February 19, 2024

TIME: 1:30 P.M.

PLACE: Room EW41

MEMBERS: Chairman Clow, Vice Chairman Crane(12), Representatives Crane(13), Palmer, Barbieri, Dixon(1), Andrus, Furniss, Mitchell, Cornilles, Ehlers, Lanting, Petzke, Redman, Berch, Green, Rubel

**ABSENT/
EXCUSED:** None

GUESTS: The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

Chairman Clow called the meeting to order at 1:31 p.m.

H 501: **Rep. Gannon** presented **H 501** explaining the bill makes minor changes to the 1941 medical lien statute to deal with the way modern medical billing works. It helps patients by making sure those who have purchased private medical insurance receive the benefits they have purchased. It still protects medical providers allowing for liens in injury cases for the fair value of the services. It gives the providers an additional time period for filing a medical lien after a citizen's health insurance has processed the medical bills to ensure medical providers get paid all of a fair negotiated value for their services. It prevents providers from overbilling and imposing inflated charges on the liability insurance companies when private health insurance is available to pay. Rep. Gannon also explained one change he would like to make to the bill: page 1, line 18: "reasonable value" changed to "reasonable charges". Rep. Gannon said he is agreeable to sending to **H 501** to General Orders to change that one item.

Chairman Clow opened the legislation to public testimony.

Testifying **in support** of **H 501**, **Joel Miller** and **Guy De Klote** shared their experience navigating health care billing explaining the difficulty they had, despite having medical insurance, because of the current medical lien statute. They explained the legislation would keep doctors from charging more than would have likely been settled with insurance company.

Tony Lawson, Idaho Hospital Association testified her organization is **in support** of **H 501** with the language change.

MOTION: **Rep. Crane(13)** made a motion to send **H 501** to General Orders. **Motion carried by voice vote.** Rep. Gannon will sponsor the bill on the floor.

H 502: **Rep. Mickelsen** presented **H 502** explaining currently Idaho Statute is unclear about what mortuaries or crematoriums are allowed to do with unclaimed ashes. The purpose of this bill is to allow for a respectful disposition of unclaimed ashes.

Chairman Clow opened the legislation to public testimony.

Testifying **in support** of the **H 502**, **Kelby Dayley**, Coltrin Mortuary explained **H 502** will allow mortuaries to treat loved ones' unclaimed remains with respect.

MOTION: **Rep. Crane(13)** made a motion to send **H 502** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** Rep. Mickelsen will sponsor the bill on the floor.

H 505: **Rep. Ehlers** presented **H 505** explaining the purpose of this legislation is to update all licensure renewals under the Division of Occupational and Professional Licenses to a biennial renewal cycle, with an expiration date at the licensee's birth month. This helps spread the workload and cash flow of the departments. The legislation touches 40 different licensing boards. This will allow for consistency in renewal cycles throughout the division.

Chairman Clow opened the legislation to public testimony. No one indicated their desire to testify.

MOTION: **Rep. Andrus** made a motion to send **H 505** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** Rep. Ehlers will sponsor the bill on the floor.

H 545: **Rep. Mitchell** presented **H 545** explaining the bill amends **Idaho Code 55-307** to prohibit local governments from mandating Idaho property owners participate in an optional Federal Housing Assistance program or any program that would have the effect of regulating rent, fees or deposits. This bill updates language in **Idaho Code 55-2006** to be consistent with amended language. Rep. Mitchell explained this is a free market bill to create and protect small businesses and individuals.

Rep. Mitchell introduced **Dan Schoenberg**, Palouse Properties, Inc. who explained the legislation has two main parts: prohibition of mandated participation in federal housing assistance programs, and the prohibition of a local government unit in creating a law which would regulate rent, fees or deposits. He shared when rent is regulated, developers are less likely to develop multi-family housing which in turn leads to fewer affordable housing units. He also explained rent controls decrease assessment values.

Chairman Clow opened the legislation to public testimony.

Testifying **in support** of **H 545**, **Lynn Bradescu**, **Brenda Gilchrist**, **Robert Gillis**, **Tyler Wolters**, Idaho Apartment Association, **Spencer Henderson**: President National Association Property Managers, Southwest Idaho Chapter, and **Michael Hon** expressed concern about a recent ordinance enacted in Boise. They communicated the importance of private property rights and the ability of individuals to enter into contracts at their own discretion.

Testifying **in opposition** of the **H 545**, **Kathy Griesmyer**, City of Boise, **Tony Torres**, Jesse Tree, **Jimmy Hallyburton**, Boise City Council, **Deanna Watson**, Executive Director of Boise City/Ada County Housing Authorities, **Latonia Haney Keith**, **Bruce Mastorovich**, **Bonnie Shuster**, **Denise Caruzzi**, Boise/Ada County Homeless Coalition, and **Kendra Knighten** expressed the difficulty some residents experience in finding affordable housing in Boise. Concern was also shared about the possibility of residents being discriminated against based on their use of a voucher as an income source.

In closing, **Rep. Mitchell** explained this legislation is to protect property owners across the state, not just Boise. He shared people should have the right to run their business as they wish. This bill protects those rights.

In response to committee questions, **Deana Watson** explained there can be a slight delay in rent payments for the first payment but after that, payments go out on the 1st of each month.

In response to committee questions, **Rep. Mitchell** clarified the legislation doesn't prevent landlords from accepting rent vouchers. Rep. Mitchell also explained the intent behind the fee portion in the legislation is to prohibit government from setting a specific fee when it may cost the landlord more than what they must charge.

ORIGINAL MOTION:

Rep. Palmer made a motion to send **H 545** to the floor with a **DO PASS** recommendation.

SUBSTITUTE MOTION:

Rep. Rubel made a substitute motion to **HOLD H 545** in committee.

Speaking to the substitute motion, **Rep. Rubel** shared local government does pass regulations and expressed this legislation could create an end-run around discrimination protections for the elderly, children, disabled and veterans. She also shared if the city of Boise's ordinance is a mistake, the people can use the mechanisms in place to resolve the situation.

Speaking **in support** of the substitute motion, committee members expressed concerns about the state government legislating where local governments should. Concern was also shared about unscrupulous landlords charging excessive fees.

ROLL CALL VOTE ON SUBSTITUTE MOTION:

Roll call vote was requested. **Substitute Motion failed by a vote of 4 AYE and 13 NAY. Voting in favor** of the motion: **Reps. Lanting, Berch, Green, Rubel. Voting in opposition** of the motion: **Reps. Clow, Crane(12), Crane(13), Palmer, Barbieri, Dixon(1), Andrus, Furniss, Mitchell, Cornilles, Ehlers, Petzke, Redman.**

ROLL CALL VOTE ON ORIGINAL MOTION:

Roll call vote was requested. **Motion carried by a vote of 13 AYE and 4 NAY. Voting in favor** of the motion: **Reps. Clow, Crane(12), Crane(13), Palmer, Barbieri, Dixon(1), Andrus, Furniss, Mitchell, Cornilles, Ehlers, Petzke, Redman. Voting in opposition** of the motion: **Reps. Lanting, Berch, Green, Rubel.** Rep. Mitchell will sponsor the bill on the floor.

S 1234:

Rep. Nelsen presented **S 1234** explaining this legislation allows enrollees to receive up to a six (6) month supply of prescribed contraceptives if they so choose, or if they are on an established prescription already. Currently, many insurance plans reimburse for only a one (1) to three (3) month supply of contraceptive supplies. This legislation will require any health benefit plan issued or renewed on or after January 1, 2025, which covers contraceptives approved by the Federal Food and Drug Administration, to provide reimbursement for up to a six (6) month refill supply obtained at one time by the enrollee. The exception is if the enrollee has never been prescribed prescription contraception; then the provider shall provide a smaller supply.

Chairman Clow opened the legislation to public testimony.

Testifying **in support** of **S 1234**, **Karen M. Hansen, Dr. Julie Bouchard, and Dr. Abby Davids**, Idaho Academy of Family Physicians explained the benefits of contraception and how the legislation would help patients maintain their prescription regimen by being able to be reimbursed for more pills at a time.

Testifying **in opposition** of **S 1234**, **Fred Birnbaum** explained Idaho Freedom Foundation opposes **S 1234** because it is a carve out. Mr. Birnbaum suggested better legislation would include more prescriptions rather than just contraception. He also shared concerns because the legislation mandates those prescribing providers, who keep stock of contraception, to offer prescriptions on site.

In closing, **Rep. Nelsen** explained it is common sense to allow for a six-month supply of an inexpensive contraceptive prescription compared to more expensive prescriptions. He shared the regulator is the doctor writing the prescription.

In response to committee questions, **Rep. Nelsen** explained by allowing patients to buy a six-month supply, it would help pharmacies balance their inventory.

In response to committee questions, **Dr. Bouchard** explained the doctor generally writes the prescription for a year and asks the patient if they want one or three month's supply per refill.

MOTION: **Rep. Furniss** made a motion to send **S 1234** to the floor with a **DO PASS** recommendation.

Speaking to the motion, **Rep. Furniss** explained by extending the term, fixed costs of prescriptions are reduced. He further shared in the future he would like to see more prescriptions be extended to allow a six-month supply and have the reduction of cost given back to the consumer.

ROLL CALL VOTE: Roll call vote was requested. **Motion carried by a vote of 9 AYE, 7 NAY and 1 Absent/Excused. Voting in favor of the motion: Reps. Clow, Barbieri, Furniss, Cornilles, Lanting, Petzke, Berch, Green, Rubel. Voting in opposition of the motion: Reps. Crane (12), Palmer, Dixon (1), Andrus, Mitchell, Ehlers, Redman. Rep. Crane (13) was absent/excused.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 3:19 p.m.

Representative Clow
Chair

Michelle A Anderson
Secretary