

*State of Idaho*  
**DEPARTMENT OF INSURANCE**

**BRAD LITTLE**  
Governor

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**DEAN L. CAMERON**  
Director

May 31, 2019

**Idaho Department of Insurance Section 1332 State Relief and Empowerment Waiver  
Notice of Public Hearing and Public Comment Period**

The Idaho Department of Insurance gives notice of intent to apply to the Centers for Medicare and Medicaid Services (CMS) and to the United States Department of the Treasury for a Section 1332 State Relief and Empowerment Waiver on or about July 15, 2019. The purpose of the waiver, the *Coverage Choice Waiver*, is to allow individuals with incomes from 100% to 138% of the Federal Poverty Level (FPL) the choice to receive help paying health insurance premiums while enrolled in private health insurance coverage, while also allowing the choice to be enrolled in Medicaid. The proposed effective date for the waiver is January 1, 2020.

In November 2018, voters passed a proposition to expand Medicaid eligibility to individuals with incomes up to 138% FPL. The Idaho legislature then passed SB1204aa, instructing the Department of Health and Welfare and the Department of Insurance to seek a waiver from the federal government to give certain individuals eligible for Medicaid expansion the choice to continue to receive a tax credit to purchase a qualified health plan through the Idaho health insurance exchange instead of enrolling in Medicaid. Under current federal law, individuals who are eligible for Medicaid do not qualify for the tax credit.

Under the waiver, expansion of coverage to Idahoans with incomes of 138% FPL or lower will be as follows:

- Income 100% - 138% FPL – enrollment in private coverage with tax credits can continue; if an individual declines to take the tax credit, the individual may choose Medicaid if eligible.
- Income under 100% FPL – generally eligible for Medicaid and not eligible for tax credits.

The Department's comprehensive public notice, tribal notice and the waiver application are available on our website at <https://doi.idaho.gov/publicinformation/publiccomments>. The Department is seeking public comment through public hearings, email or traditional mail as indicated below. Public hearings will be held at the following locations:

**Boise Public Hearing**

**Location:** Dept. of Health & Welfare  
Westgate Office, Room 131  
1720 Westgate Drive, Boise  
**Date:** June 24, 2019  
**Time:** 2:00-3:00 PM

**Lewiston Public Hearing**

**Location:** Dept. of Health & Welfare  
Lewiston Office, 3rd Floor Conference Room  
1118 F Street, Lewiston  
**Date:** June 27, 2019  
**Time:** 10:00-11:00 AM

The hearing site will be accessible to persons with disabilities. Requests for accommodation must be made to the agency address above not later than five days prior to the hearing.

**Conference line for all dates and locations:**

**Call:** 877-820-7831  
**Guest Code:** 925974

Interested parties may also request hard copies of the waiver packet or submit comments via email or traditional USPS mail to the attention of:

Product Review Bureau Chief  
Department of Insurance  
P.O. Box 83720  
Boise, Idaho 83720-0043

Email: [DOI.Reform@doi.idaho.gov](mailto:DOI.Reform@doi.idaho.gov)

**Public comments will be accepted until June 30, 2019, 6:00 PM Mountain Time.**