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DEPARTMENT OF INSURANCE

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BULLETIN NO. 25-03

DATE: May 2, 2025
TO: All Entities Offering Health Benefit Plans Subject to Idaho Code § 39-2301
FROM: Dean L. Cameron, Director
SUBJECT: Compliance Guidance Regarding House Bill 134 (2025) – Coverage for Breast Cancer Screening, Idaho Code Title 39, Chapter 23

1. Purpose

This Bulletin provides guidance regarding House Bill 134 (2025), which creates Idaho Code Title 39, Chapter 23, “Breast Cancer Screening.” This new chapter establishes mandatory coverage requirements within health benefit plans for breast cancer screenings, specifically defining and requiring coverage for “supplemental breast screening” under certain conditions. These new statutory requirements are effective January 1, 2026.

This guidance highlights key statutory requirements and outlines necessary compliance actions, including form and notice filings. Insurers are responsible for reviewing the full text of the law (Idaho Code Title 39, Chapter 23) and ensuring their products and practices fully comply with all provisions by the effective date.

2. Applicability

Pursuant to Idaho Code § 39-2301(2) and Section 2 of House Bill 134 (2025), the requirements of Idaho Code Title 39, Chapter 23 apply to all applicable health benefit plans, as defined in § 39-2301(2), that are in effect on or after January 1, 2026.

The chapter applies to policies and contracts originally effectuated *before* January 1, 2026, that remain active on that date, as well as policies and contracts effectuated *on or after* January 1, 2026.

3. Summary of New Coverage Requirements Effective January 1, 2026

Idaho Code Title 39, Chapter 23 requires applicable health benefit plans to provide coverage for, at a minimum:

- Annual Supplemental Breast Screening: Coverage for “all costs associated with one (1) supplemental breast screening every year” for covered individuals identified as having an increased risk of breast cancer.
 - “Supplemental breast screening” is defined in Idaho Code § 39-2301(1).

- The specific criteria defining “increased risk” are enumerated in Idaho Code § 39-2301(3)(a) through (g).
- Cost-Sharing: Pursuant to Idaho Code § 39-2301(3), the annual supplemental breast screening must be covered with no patient cost-sharing (deductible, copayment, or coinsurance). This applies to services received from in-network providers. Idaho Code § 39-2301(4) clarifies that cost-sharing provisions contained in the policy or plan *may* be applied to other breast imaging services that are in excess of this minimum required coverage (e.g., diagnostic imaging, supplemental screenings performed more frequently than annually). Similarly, additional costs may be applied to services from out-of-network providers.

4. Required Insurer Actions and Form Filings

To comply with Idaho Code Title 39, Chapter 23, affected entities must take the following actions:

A. Revisions to Plan Documents

- Update plan contracts, Summaries of Benefits and Coverage (SBCs), Outlines of Coverage (if applicable), and any relevant marketing materials to accurately reflect the added benefit and its coverage without cost-sharing.
- Submit all necessary form filings to the Department via the System for Electronic Rate and Form Filing (SERFF) prior to January 1, 2026.
- Filings must include riders, endorsements, or amended forms necessary to bring all applicable policies, contracts, certificates, and evidences of coverage that will be in effect on or after January 1, 2026, into compliance with the statutory requirements.

B. Consumer Notification

- Develop a clear notice for insureds/enrollees/members explaining the changes in coverage statutorily required by this law, effective January 1, 2026.
- Submit a template of this consumer notice to the Department via SERFF as a Supporting Document included with the related form filing for review.
- Distribute the approved notice to all affected insureds/enrollees/members no later than thirty (30) days prior to the date the coverage change takes effect (i.e., no later than December 2, 2025, as the change is effective January 1, 2026 for all applicable plans).
- The notice must, at a minimum, include:
 - A clear explanation of the newly added supplemental breast screening benefit effective January 1, 2026.
 - The specific circumstances under which an individual is considered at increased risk, referencing or listing the criteria from Idaho Code § 39-2301(3)(a) through (g).

- That the annual supplemental breast screening benefit is covered without patient cost-sharing (deductible, copayment, or coinsurance) when criteria in § 39-2301(3) are met. The notice should also clarify that cost-sharing *may* apply to other breast imaging services as outlined in the plan documents and permitted by § 39-2301(4).

5. Conclusion

The Department expects timely action by affected entities to ensure full compliance with Idaho Code Title 39, Chapter 23, including coverage of the annual supplemental breast screening without patient cost-sharing, for all applicable plans in effect on or after January 1, 2026.

This Bulletin is not new law but is an agency interpretation of existing law, except as authorized by law or as incorporated into a contract. Requests for additional information or other inquiries regarding this Bulletin can be directed to Market Oversight Bureau Chief Shannon Hohl at 208-334-4315 or shannon.hohl@doi.idaho.gov.