

IN THE SENATE

SENATE BILL NO. 1354

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO HOSPITALS; AMENDING SECTION 39-1307, IDAHO CODE, TO REVISE PROVISIONS REGARDING RULES, REGULATIONS, AND ENFORCEMENT AND TO PROVIDE THAT CERTAIN RULES, REGULATIONS, AND STANDARDS SHALL NOT APPLY TO HOSPITALS CERTIFIED BY MEDICARE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 39-1307, Idaho Code, be, and the same is hereby amended to read as follows:

39-1307. RULES, REGULATIONS, AND ENFORCEMENT. The board shall have the authority to adopt, amend, and enforce rules, regulations, and standards consistent with the provisions of this ~~act which~~ chapter that are designed to protect the health and safety of patients being cared for in facilities or agencies as defined.

The board of health and welfare, ~~hereinafter created~~, with the advice of the advisory hospital council, shall adopt, amend, promulgate, and enforce such rules, regulations, and standards with respect to all hospitals or different types of hospitals to be licensed hereunder as may be designed to further the accomplishment of the purposes of this ~~law~~ chapter in promoting safe and adequate treatment of individuals in hospitals in the interest of public health, safety, and welfare. Any such rules, regulations, and standards issued under this chapter that are more restrictive than medicare conditions of participation shall not apply to hospitals that are certified by medicare, through accreditation, survey, or otherwise, to participate in the medicare program. Provided further that nothing in this ~~act~~ chapter or the rules and regulations adopted pursuant thereto shall be construed as authorizing the supervision, regulation, or control of the remedial care or treatment of residents or patients in any home, facility, or agency as defined, conducted for those who rely upon treatment by prayer or spiritual means in accordance with the creed or tenets of any well-recognized church or religious denomination except as to sanitary and safe conditions of the premises, cleanliness of operation, and its physical equipment.