

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 541

BY BUSINESS COMMITTEE

AN ACT

1 RELATING TO HEALTH CARE ORGANIZATIONS; AMENDING CHAPTER 13, TITLE 39, IDAHO
2 CODE, BY THE ADDITION OF A NEW SECTION 39-1392g, IDAHO CODE, TO PROHIBIT
3 ECONOMIC CREDENTIALING OF MEDICAL STAFF MEMBERSHIP IN HEALTH CARE ORGA-
4 NIZATIONS.
5

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

7 SECTION 1. That Chapter 13, Title 39, Idaho Code, be, and the same is
8 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
9 ignated as Section 39-1392g, Idaho Code, and to read as follows:

10 39-1392g. MEDICAL STAFF MEMBERSHIP AND PRIVILEGES. (1) Except as
11 specifically provided in subsection (2) of this section, nothing in this
12 section shall in any way change the authority of the governing body of any
13 health care organization to make such rules, regulations, standards or qual-
14 ifications for medical staff membership as it, in its discretion, may deem
15 necessary or advisable, or to grant or refuse membership on a medical staff.

16 (2) An applicant for medical staff membership or privileges in a health
17 care organization that has an organized medical staff, an applicant for
18 reappointment to the medical staff of such health care organization, or a
19 current member of the medical staff of such health care organization shall
20 not be denied medical staff membership or privileges, nor shall membership
21 or privileges be withdrawn, revoked, suspended or limited by such health
22 care organization for the reason that:

23 (a) The applicant or current member of the medical staff holds an owner-
24 ship interest in one (1) or more competing health care organizations;

25 (b) The applicant or current member of the medical staff is affiliated
26 with one (1) or more competing health care organizations; or

27 (c) The applicant or current member of the medical staff is a competitor
28 of one (1) or more members of the medical staff.

29 (3) Nothing in this section shall require a health care organization to
30 grant privileges to an applicant for services that are subject to an exclu-
31 sive contract or not offered in that facility.

32 (4) Nothing in this section shall be interpreted as changing the priv-
33 ilege, confidentiality, discoverability and admissibility of the informa-
34 tion and records granted in section 39-1392b, Idaho Code.