

Legislative limelights . . .

Legislature takes risk on certificate of need

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The mentality at the Idaho Legislature, which is resentful of federal interference, can be carried too far.

It is understandable to object to some of the silly federal regulations, but at the same time when the federal government pours millions of dollars into the state coffers for various programs, it has some right to determine how the money will be spent.

The millions of dollars in matching federal programs are what keep going brisk highway construction, health programs and many phases of education.

One of the cases that comes to point is the certificate of need law which the federal government has insisted be enacted by Sept. 30, 1980, to make certain health funds are expended properly.

The Idaho Legislature, in effect, has thumbed its nose at the feds and refused to even consider the legislation.

Certificate of need legislation has been in the legislative hopper since 1969. Variations on such a proposal have come from an earlier task force and the Idaho Hospital Association, but little headway has been made. This is reportedly due to the powerful hospital and medical lobbyists, who can't agree on whether doctors should be included.

This bickering has been going on in the Legislature for several years. At the last report, Idaho is one of only seven states which have not passed a certificate of need law.

Idaho Gov. John V. Evans became so concerned last fall that he wrote a letter to Joseph A. Califano, secretary of Health Education and Welfare, regarding the necessity for a certificate of need legislation.

Califano replied that if Idaho's State Health Planning and Development Agency (SHPDA) does not administer a certificate of need program meeting federal standards, it will be ineligible for federal funding after Sept. 30, 1980.

Califano also noted that SHPDAs may be designated on a conditional basis for no more than three years, and the Idaho program is now on its third year. He said Idaho has only until the end of this period to meet the designation, and that no chances for extension are contemplated.

Rep. Elaine Kearns, R-Idaho Falls, chairman of the House Health and Welfare Committee, one of the warm backers for health programs, is deeply concerned.

She is fully aware that federal fund loss could amount to as much as \$12.3 million per year. In these days of 1 percent limitations, this could be a disaster.

Most of the questionnaires returned by East Idaho legislatures last December expressed their opposition to certificate of need law, but they could give no valid reason for this, adding they "weren't going to have the feds tell them what they had to do." But it should be decided on merit.

The key provisions of certificate of need legislation would require hospitals and other selected health care providers to demonstrate "need" to citizens of the area before they could spend over \$150,000 on capital expenditures, increase bed capacity 10 percent, or add any new substantial service.

These don't appear to be such stringent requirements.

It would seem that if 43 states are willing to comply to federal regulations, that Idaho can also conform, regardless of ideological opposition.

It could mean Idaho would not be eligible to receive funds through the Public Health Service Act, Community Mental Health Centers Act, or the Comprehensive Alcohol Abuse and Alcoholism Prevention,

Treatment and Rehabilitation Act.

If Idaho continues to taunt the federal government and refuses to enact the certificate of need

law, it could face an estimated \$12.3 million a year loss. It would virtually destroy Idaho's health program. Is it worth that gamble against a stacked deck?



Health worry

BOISE — Rep. Elaine Kearns, R-Idaho Falls, chairman of the House Health and Welfare Committee, is concerned over the possibility the Idaho Legislature may again turn down certificate of need legislation, and cost the state an estimated \$12.3 million yearly in federal health funds.