



C.L. "Butch" OTTER
Governor
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Director
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State of Idaho

Department of Administration
Division of Purchasing

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POLICY DIRECTIVE NO. 13-4
ORIGINALLY EFFECTIVE July 31, 2013
SECOND AMENDMENT EFFECTIVE June 22, 2016

This written policy is established pursuant to section 67-5720, Idaho Code and Idaho Purchasing Rule 42.10(iv) (IDAPA 38.05.01.42.10(iv)).

Policy Directive 13-4 was amended on October 7, 2015 to include an exemption for "Professional Case Reviewers."

Policy Directive 13-4 was further amended on June 22, 2016 to include an exemption for "Administrative Hearing Officers."

The Administrator of the Division of Purchasing has determined to exempt from competitive acquisition procedures the acquisition of certain legal services, litigation consultants, and expert witnesses (not already exempt as a small purchase under Idaho Purchasing Rule 44 (IDAPA 38.05.01.44)) as follows:

Specialized legal services acquired by state entities and approved by the Attorney General pursuant to the provisions of Idaho Code section 67-1406(3).

Litigation consultants, professional case reviewers, administrative hearing officers, and expert witnesses whose services are directly related to threatened, pending or potential litigation in which the state entity is or may be a party; or whose services are required in association with administrative proceedings conducted by the state pursuant to IDAPA or Idaho Code.

The conditions applicable for the exemption to apply are as follows:

1. The state entity must request the exemption in writing, stating the basis for the request and the request must be evidenced and approved by existing legal counsel or other applicable authority;
2. The administrator must grant the request in writing;
3. The state entity shall, upon request of the administrator, provide an accounting of moneys spent pursuant to the exemption;
4. The exemption must be reviewed by the administrator no less than every three (3) years; and
5. The administrator may revoke the exemption at any time if the administrator determines the terms of the exemption are not being met or if revocation is in the best interest of the state.

Sarah Hilderbrand, Administrator

State of Idaho
DEPARTMENT OF INSURANCE

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DEAN L. CAMERON
Director

VIA STATEHOUSE MAIL

June 6, 2016

Idaho Department of Administration
Division of Purchasing
Sarah Hilderbrand, Administrator
650 West State Street
Boise, ID 83702

Re: Request for Exemption from Competitive Acquisition Procedures

Dear Administrator Hilderbrand:

Pursuant to Department of Administration Policy Directive No. 13-4, as amended on October 7, 2015, the Idaho Department of Insurance ("DOI") hereby requests an exemption from competitive acquisition procedures for the purpose of contracting with individuals possessing the proper legal and/or technical expertise to be appointed to serve as administrative hearing officers for the DOI, in accordance with Idaho Rule of Administrative Procedure 410 (IDAPA 04.11.01.410). Such appointed hearing officers will preside over contested cases pending before the DOI Director, conduct hearings, and issue preliminary orders, pursuant to title 41, chapter 2, and title 67, chapter 52, Idaho Code, and the Idaho Rules of Administrative Procedure.

Thank you for your consideration.

Very truly yours,



Dean L. Cameron, Director
Idaho Department of Insurance

Reviewed and Approved.

Office of the Attorney General



By: Richard B. Burleigh
Lead Deputy Attorney General
Counsel for Department of Insurance