AUGUST LEGISLATIVE UPDATE

The General Assembly remains in recess for the summer, with the State House scheduled to return September 17, and the Senate September 23. Despite the lack of public voting sessions, bills continue to be introduced and leadership/Committee chairs are working toward the fall agendas. Legislative support and research staff are meeting with stakeholders over language, amendments and priorities.

PA-ACP has been extremely active on behalf of its members since passage of the state budget at the end of June and is focusing on several important issues. These include reform of prior authorization processes, independent practice for nurse practitioners, balance billing, network adequacy, telemedicine, and regulation of opioids and buprenorphine. Additional emphasis has been placed on firearms related issues due to recent events.

Firearms

The recent mass killings in El Paso and Dayton have upped the public pressure for legislation to “do something” about firearms. Dozens of Democrats urged Gov. Wolf to convene a special session of the Legislature to address gun bills. He has declined, saying there was not yet a consensus with the Republican leaders who control both chambers.

PA-ACP has long supported several of these initiatives, including red flag legislation, universal background checks, safe storage legislation, and bans on assault weapons and magazine accelerators.

GOP leaders in the state Senate will hold Judiciary Committee hearings September 24-25 to address “behavioral health, second amendment rights, and other gun related issues.” PA-ACP will provide written testimony as part of that process.

Gov. Wolf has signed an executive order creating a special advisor for gun control efforts. The EO calls for increasing data collection on gun violence, combating mass shootings and addressing an increase in suicides and domestic violence incidents using existing state resources, and creates a Council on Gun Violence Prevention focused on community, mass shootings, domestic violence and suicides

Prior Authorization

Prior Authorization continues to be a focus of efforts in the Capitol as we work with Committee and Caucus leadership to move this issue. PA-ACP has worked with HB 1194 sponsor Rep. Steven Mentzer (R, Lancaster) and continues to seek additional co-sponsors. The bill would ensure patients receive more timely care, allow insurers to be more transparent, and reduce administrative burdens for physicians and their office staff.

Certified Registered Nurse Practitioners

The Senate passed SB 25 in June, a bill that would give CRNPs independent practice without collaborative agreements. Advanced practice nurses have sought this legislation for almost 20 years. PA-ACP has opposed this bill as an issue of patient safety. The Chapter has joined a with other primary care physician organizations to continue opposing this bill, meeting with the House leadership, Professional Licensure Committee chair and members to outline our concerns with the legislation.
Telemedicine

The House Insurance and Health Committees are working on legislation to regulate telemedicine services in Pennsylvania, and there’s hope that a bill will be moved again this session. Last session, a bill to establish practice and payment for telemedicine services passed the Senate, but failed to get final passage in the House when amendments were proposed banning payment for abortion counseling services by telemedicine. We have worked with staff to develop language for the bill that would resolve this issue for future consideration in the House of Representatives.

Balance Billing

The House Insurance Committee held hearings this spring on surprise balance billing, and PA-ACP testified in that process on behalf of its members. While several bills have been introduced in attempts to address this issue, we expect House Insurance Committee chair Tina Pickett (R, Sullivan) to take a leadership role on this issue. The focus of attention has been on hospital inpatient bills (ER, surgical, anesthesia) and emergency transport, and the incidence of out-of-network bill increases. PA-ACP has been working with the Committee to address network adequacy, short term limited duration insurance policies, and controlling the differentials between in-network and out-of-network payment rates.

Opioid legislation

PA-ACP has been active in this arena, working on several bills intended to help fight the opioid epidemic in Pennsylvania. The College successfully got amendments included in bills that would have limited opioid prescriptions to seven days, banned use of fentanyl except during surgery, and established practice parameters for naloxone and buprenorphine.

We are working with the House Human Services Committee to amend another bill, SB 675, that is intended to limit diversion of suboxone and to prevent providers from prescribing this drug on a “cash only” basis. The bill as written would have required physicians to go through a third/fourth round of certification and pay a fee to the state for prescribing buprenorphine. Those provisions will be eliminated this fall. We are also seeking clarification of provisions for payment for these services. Amendments to the bill would have precluded health care providers from collecting ANY cash payments, which would have made collection of co-pays and deductibles illegal. We have a commitment from the Chairman and staff of both caucuses to address this issue.

Immunizations

We continue to work with the Department of Health, staff and members of the House Health Committee and sponsors of legislation to work toward restrictions on non-medical exemptions from immunization mandates, and promote adult immunizations.

The introduction and publicity behind Rep. Daryl Metcalfe’s HB 286 this spring has given us a platform to promote vaccine efficacy. The House Health Committee may hold hearings on the immunization and informed consent issues this fall.

Legislation has been introduced to make philosophical exemptions more difficult, and one bill would eliminate religious and philosophical exemptions entirely. The “anti-vax” movement has grown significantly, fed by social media, and continues to advocate for informed consent legislation and maintaining philosophical exemptions with legislators in the districts.