

## Government Relations Update – November 6, 2018

### Pennsylvania Issues

#### Legislation

- **SB 780:** Telemedicine Act. As previously reported, on June 22, 2017, Senator Elder Vogel (R-Beaver) introduced legislation to define key components of telemedicine, set telemedicine licensing requirements and require that insurers pay for telemedicine services if they cover the same service provided in person. Senators Bob Mench (R-Bucks), Lisa Baker (R-Pike), David Argall (R-Schuylkill) and Pat Browne (R-Lehigh) served as co-sponsors of the bill. HAP supported the expanded use of telemedicine, since it would assist with physician shortages in rural communities. 30 states, including New York, Maryland and Virginia, have enacted similar telemedicine legislation.

Unfortunately, the payment parity provisions were stricken from the bill before it was passed by the Senate on June 19, 2018. The bill was sent to the House Professional Licensure Committee, which passed it with minor amendments on September 24, 2018. On October 11, the House voted to approve additional amendments proposed by Representative Tobash (R-Schuylkill) to strike the payment provisions entirely. Representative Kathy Rapp (R-Crawford) introduced an additional amendment to prohibit telemedicine from being used for abortion consultations. Based on this final amendment, the House Republicans decided to avoid a vote and pulled the bill from further discussion. The House is not scheduled to meet in session again during this calendar year, so the telemedicine bill will need to be reintroduced next year for further consideration.

- **SB 180:** Donate PA Life Act. As previously reported, on May 26, 2017, Senator Stewart Greenleaf (R-Bucks) introduced legislation to establish a comprehensive framework for public education regarding organ and tissue donations; clarify the methods for making anatomical donations; and update the law to reflect the best clinical practices to support anatomical donations for transplantations. The bill passed the Senate on June 20, 2017 and was amended in the House on April 30, 2018. The amended bill was passed in the Senate on October 15, 2018 and signed into law by Governor Wolf (D) on October 23, 2018.
- **SB 1209:** Sexual Assault Testing and Evidence Collection Act. On June 15, 2018, Senator Wayne Langerholc (R-Bedford) introduced an amendment to the Sexual Assault Testing and Evidence Collection Act to establish a sexual assault evidence collection program. Pursuant to the program: (1) the Department of Health must establish a designated telephone number for healthcare facilities to use when local law enforcement fails to take possession of sexual assault evidence within 72 hours; and (2) the Pennsylvania State Police must complete and submit a report related to sexual assault volume, evidence and testing on a biannual basis. The bill passed the Senate and the House, and it was signed into law by the Governor on October 24, 2018.
- **HB 1013:** EMS Reimbursement. State Representative Stephen Barrar (R-Chester) introduced an amendment to the Insurance Company Law requiring insurance companies to reimburse emergency medical services agencies for services provided during an emergency regardless of whether transportation to a hospital occurs. The bill passed the Senate and the House, and it was signed into law by the Governor on October 24, 2018.
- **HB 2138:** State Medicaid Requirements. As previously reported, on March 13, 2018, State Representative Matthew Dowling (R-Fayette) introduced an amendment to the Human Services Code requiring all “able-bodied” adults enrolled in Medicaid to work at least 20 hours per week or complete 12 job training program-related activities per month to maintain enrollment. The bill passed the Senate and the House, but the Governor vetoed the bill on October 19, 2018.

- **HB 1884**: Notification of Patient Test Results. On October 25, 2017, Representative Marguerite Quinn (R-Bucks) introduced legislation requiring that results of certain outpatient diagnostic imaging services be sent directly to a patient or designee within 20 days of the date when the results are sent to the patient's ordering physician if the results include a significant abnormality. The bill was later amended to permit the delivery of results into the patient's medical record, as opposed to delivery directly to the patient. The amended bill passed the Senate and the House, and it was signed into law by the Governor on October 24, 2018.
- **HB 353**: Amendment to the Controlled Substance, Drug, Device and Cosmetic Act. On February 6, 2017, Representative Tedd Nesbit (R-Butler) introduced an amendment to the Controlled Substance, Drug, Device and Cosmetic Act to mandate electronic prescribing of opioid medications. The bill passed the Senate and the House, and it was signed into law by the Governor on October 24, 2018. The bill goes into effect in one year.

### **Advocacy**

- **Legislative Visit**: On October 22, 2018, Representative Marcia Hahn (R-Northampton) met with Carol Kuplen, President of St. Luke's University Hospital – Bethlehem Campus, and Darla Frack, Vice President of Patient Care Services for St. Luke's Hospital – Anderson Campus, to discuss the network's opposition to nurse staffing ratio legislation.

### **New Jersey Issues**

#### **Legislation**

- **SB 2427/A3769**: Angioplasty Bill. On April 5, 2018, Senator Joseph Vitale (D-Middlesex) introduced a bill that would require the New Jersey Department of Health to license qualifying hospitals to provide full service cardiac catheterization services. A companion bill was introduced by Assemblyman Andrew Zwicker (D-Hunterdon). The bills were referred to committees in the Senate and the Assembly for review.

### **Federal Issues**

#### **Legislation**

- **SUPPORT Act**: On June 13, 2018, Representative Greg Walden (R-OR) introduced the Substance Use Disorder Prevention that Promotes Opioid Recovery and Treatment (SUPPORT) for Patients and Communities Act to address the opioid epidemic by expanding the use of telehealth services for the treatment of opioid use disorder and other substance abuse treatments, promoting appropriate opioid prescribing, improving care for infants with neonatal abstinence syndrome and their mothers, and expanding access to non-opioid treatment options. The bill passed the Senate and the House, and President Trump (R) signed the bill into law on October 24, 2018
- **Sports Medicine Licensure Clarity Act**: On April 4, 2017, Senator John Thune (R-SD) introduced the Sports Medicine Licensure Clarity Act to permit physicians, athletic trainers and other sports medicine professionals who travel to another state with an athletic team to provide medical care to members of the team within the scope of their license to practice in their home state. The bill also requires that professional liability insurance coverage apply as if the services were provided in a provider's home state. The bill passed the Senate and the House, and the President signed the bill into law on October 5, 2018.

### **Advocacy**

- **Legislative Visits**: On October 10, 2018, Dr. Aldo Carmona, Heather Alban, and Melissa Shafer met with the Lehigh County Drug and Alcohol Director and staff members of United States Senator Pat Toomey (PA-R) to discuss the network's response to the opioid epidemic, including network prescribing guidelines and pain management protocols.