

Minnesota-ACP Health Policy and Legislative Update

April 6, 2020

The MN Capitol remained largely empty in recent weeks as the extended Easter and Passover breaks continued. Legislators did return to the Capitol in late March to pass another COVID-19 relief package. The \$320 million measure provides funding for many impacted sectors of Minnesota, including childcare, transportation needs, veteran's programs, government continuity, and dozens of other provisions. Of note, the bill provides \$26 million to support programs for the homeless, as well as an additional \$9 million appropriation for food shelves and other food stability programs. Thank you to members for their advocacy efforts and to our legislative monitor Eric Dick for these updates.

MN Legislative Update in brief:

- Governor Walz continued to use his executive authority to enact measures to stop the spread of the pandemic and assisting those who are impacted.
- Recent executive measures include restrictions on the prescribing of chloroquine or hydroxychloroquine to prevent shortages of the drugs, as well as temporarily waiving CME requirements for the duration of the public health emergency.

1. Improve Public Health

Legislature Returns to Pass Additional COVID-19 Relief

March 26 saw the Legislature return to the Capitol for a one-day session to pass an additional package of COVID-19 relief measures. The **legislation** <https://www.revisor.mn.gov/laws/2020/0/Session+Law/Chapter/71/> had been negotiated by legislative leaders prior to the start of the sessions, and it passed both bodies by near-unanimous margins. The appropriation totaled \$320 million and provided funding and relief to many economic sectors, including transportation, small business, child care, and veterans affairs. The Legislature had previously passed \$200 million in support for health care clinics, hospitals, and long-term care facilities. The bill included the following appropriations:

- \$200 million for a newly established state fund intended to support state agencies' efforts to protect Minnesotans and maintain state government operations;
- \$9 million in additional spending to support food shelves and other food stability programming; and
- \$26 million to provide additional homeless shelters and support for individuals experiencing homelessness
- The legislation also includes a provision that repeals a statute that limited initial and refill prescriptions of opioids. The repealed provision passed during the 2019 session as part of a broad package of reforms related to opioid prescribing and abuse. Specifically, the relief package repeals a measure in current law that precludes initial prescriptions for Schedule II through IV opiates or narcotics if the prescription had been issued more than 30 days prior. Similarly, the bill also repeals a provision in current law that prohibits refills for Schedule III and IV narcotics or opioids if more than 30 days had lapsed since the previous date on which the prescription was initially filled or refilled. Prescribers and patients with chronic pain being treated with opioids had both raised concerns with the existing law, noting the cost and administrative burden to patients and prescribers alike

The Legislature will meet today to consider legislation to authorize presumptive legibility for workers' compensation claims for health care workers, including home health care workers, who contract COVID-19. Given current rules for in-person sessions, it's likely that legislative leaders have agreed to a bill and it will be passed.

Gov. Walz Issues Additional Executive Orders

Gov. Walz continued to issue a series of executive orders in an effort to combat the COVID-19 pandemic, both in terms of health and safety as well as to provide support to business impacted by the outbreak. Walz had previously issued executive orders temporarily closing bars and restaurants, to request that Minnesotans stay at home unless urgent needs arise, as well as an order cancelling all non-emergent, elective medical procedures.

The new executive orders include:

- Limitations on the prescribing of chloroquine or hydroxychloroquine, drugs cited by the President and others as a possible treatment for COVID-19. Under the [order](https://www.leg.state.mn.us/archive/execorders/20-23.pdf), <https://www.leg.state.mn.us/archive/execorders/20-23.pdf> prescription orders for chloroquine or hydroxychloroquine must contain a diagnosis appropriate for the use of these medications and be dispensed for no more than 30 days at a time. The Board of Pharmacy is empowered to enforce these restrictions.
- Temporary waivers of CME requirements for physicians whose licenses are due for renewal. Specifically, the order allows health licensing boards authority “to defer continuing education requirements until the first reporting cycle following termination of the peacetime emergency.”
In related news, the executive order also allows the health licensing boards to temporarily forgo the fingerprint requirement for licensure given that many sites that handle fingerprint processing are temporarily shuttered.

2. Improve Affordability and Health/Behavioral Health Access for Patients

The conference committee to reconcile the competing bills on making insulin available in an emergency for people who can't pay for it is progressing. It may yet come to the floor this session.

Other Resources

- **April 7 from 7-8pm-“COVID-19: A Focus on Employment, Benefits, and Financial Assistance for Physician Clinics”**- The MMA is partnering with the law firm Dorsey & Whitney to host a free, live online forum for members and clinic administrators to address questions about practice employment and benefits, and new financial protections as a result of the COVID-19 public health emergency. The webinar is free though registration is required. For additional information/registration **available here**. <https://www.mnmed.org/news-and-publications/News/Live-Online-Forum-April-7-Expert-Guidance-on-Pract>
- **April 14th or April 21st at 7pm “Facing Ethical Dilemmas and High Stress due to COVID-19”**- Join Physicians Serving Physicians for a free, physicians-only discussion. Description and details here <https://psp-mn.com/covid19>