PA-ACP June 1 Legislative Update

State Budget
The Independent Fiscal Office continues to report that the state will end the current fiscal year with a surplus, despite a recent court ruling on transfers of JUA funds. Republicans are saying no new taxes, which would include the severance tax proposal from the governor as well as increased taxes from a minimum wage hike to $12.00. Another recent US Supreme Court ruling that states can legalize sports gambling could become a new revenue source, and the State Gaming Control Board is already considering regulations to permit these activities in PA as a new revenue source.

Republican leaders in the House and Senate continue to promise an on-time budget, but the question remains whether the Governor will sign or veto a package where he doesn’t get a significant chunk of what he’s asked for.

A federal judge has prohibited the $200 million transfer to the Pennsylvania General Fund from the Pennsylvania Professional Liability Joint Underwriting Association (JUA), which PA-ACP strongly opposed. The fund was created to provide last resort medical malpractice insurance for Pennsylvania healthcare providers. It receives no money from the state, only from physicians unable to secure medical malpractice insurance elsewhere. JUA has an estimated $268 million in reserves.

U.S. Middle District Chief Judge Christopher C. Conner ruled that the transfer of funds, established by the 2017 budget package, would violate the US Constitution as an unconstitutional taking of private property.

Budget Priorities 2018
PA-ACP is working to ensure funding for health care line items, as well as the state’s MA budget lines and restoring funds to teaching hospitals and GME programs. Similarly, the votes appear there to merge the Department of Health and the Department of Human Services.

Nurse Practitioners
Last year, the Senate passed SB 25, which would allow Nurse Practitioners to practice without collaborative agreements. PA-ACP has opposed this legislation for more than a decade. The bill remains in the House Professional Licensure Committee, and PA-ACP is working with House leadership to ensure than any movement on the bill would include at minimum, extensive additional education and experience under a collaborative agreement with physicians.

Prior Authorization
HB 1293, sponsored by Rep. Marguerite Quinn, would standardize and speed up prior authorization for patients. PA-ACP has made this a priority for 2018-2019, and is working with
the General Assembly, staff, other medical provider organizations, and insurers to move this legislation which would not only protect patients, but reduce unnecessary administrative tasks and time for internists. We hope to see action on the bill before the fall elections.

**Other Priority Legislation**
PA-ACP is also working with the House on several key bills for patients and physicians: These include Drug Price Transparency legislation (SB 637), Surprise Balance Billing legislation (HB 1553), provision of epi-pens in public places (HB 126), regulation of telemedicine (SB 780), and protecting patients against alteration of health insurance coverage during the term of a policy (SB 2113).

**Opioid Emergency**
With a major state and federal focus on action to help control the opioid epidemic, PA-ACP has been directly involved in more than a dozen bills, and has secured amendments to protect physicians and patients from unintended consequences of regulations and legislation.

The Governor announced an initiative to remove barriers for people receiving medication-assisted treatment (MAT) for opioid use disorder, waiving prior authorization requirements for evidence-based opioid use disorder treatments. PA-ACP met with the Wolf Administration to thank them for this initiative and made it clear note that prior authorization is a problem for many patients, not just those with substance abuse disorder.

PA-ACP sought amendments to legislation (SB 472) to protect physician/patient decisions on chronic care and palliative care cases on legislation limiting prescriptions of opioids, and similar action to maintain physician decision making for Schedule II, III and IV controlled substances for patients. And PA-ACP is opposing legislation that would require additional education, licensing, and high fees for the ability to prescribe buprenorphine. The College is also supporting legislation (SB 1001) that would allow the Secretary of Health to establish emergency public health declarations like that announced by the Governor earlier this year.

**Firearms/Public Health**
The ACP’s priority on reducing violence and firearms legislation has led PA-ACP to carefully monitor and work with the House and Senate on multiple bills aimed at controlling access to guns, and protect the public. The House Judiciary Committee held several hearings on the subject last month, and Judiciary Committee Chair Ron Marsico has said he will introduce a package of bills in early June.

Among key bills PA-ACP is supporting are legislation to create “extreme risk protective orders” where a family member can petition the court to remove guns from someone who is a danger to themselves or others; to remove guns from those with PFA orders within 48 hours;
banning bump stocks and high capacity magazines; and eliminating non-family exceptions for background checks for purchase or transfer of firearms.

**PA Coalition for Civil Justice Reform**
The PA-ACP has joined the PA Coalition for Civil Justice Reform and will be participating in that coalition's efforts and lobbying on legislation impacting tort reform and medical malpractice insurance issues.

**ACP Leadership Day/Advocacy**
Twenty-five PA internists went to Washington May 22-23 to meet with and lobby the state’s congressional delegation over legislation to protect patients and improve medical practice.

This effort is one part of PA-ACP’s expanding Advocacy efforts, seeking to develop one-on-one relationships between internists and elected officials at both state and federal levels. More than 1,400 Pennsylvania internists are engaged as Advocates for Internal Medicine (AIMs) with the ACP, and the state chapter is seeking to develop a similar capability at the local level.

Relationships with these elected officials can pay huge dividends when they understand how legislation will impact their constituents. PA-ACP hopes to become a resource for these officials and is planning a series of meetings/dinners to educate and engage internists across the state.