

Legislative Update: 2016 Session

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Legislative Update

2016 Session

HFMA Winter Institute

Indianapolis Renaissance North Hotel

January 28, 2015

Presented by
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Your Indiana General Assembly

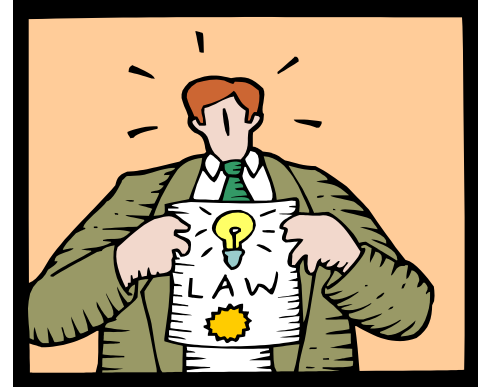
- **2015**
 - **January – April 30:** 2015 Legislative Session
 - Biennial budget: “Long” session.
- **2016**
 - **January–March 14:** 2016 Legislative Session
 - Non-budget “short” session
 - **May–November:** Statewide Elections
 - Governor of Indiana
 - Gov. Mike Pence vs. John Gregg
 - Indiana General Assembly:
 - Senate (half, 25 of 50 members)
 - House (all 100 members)

Introduced Bills

- House Bills
 - 400
- Senate Bills
 - 431

Bills Remaining

- House Bills
 - To Be Determined.
- Senate Bills
 - To Be Determined.

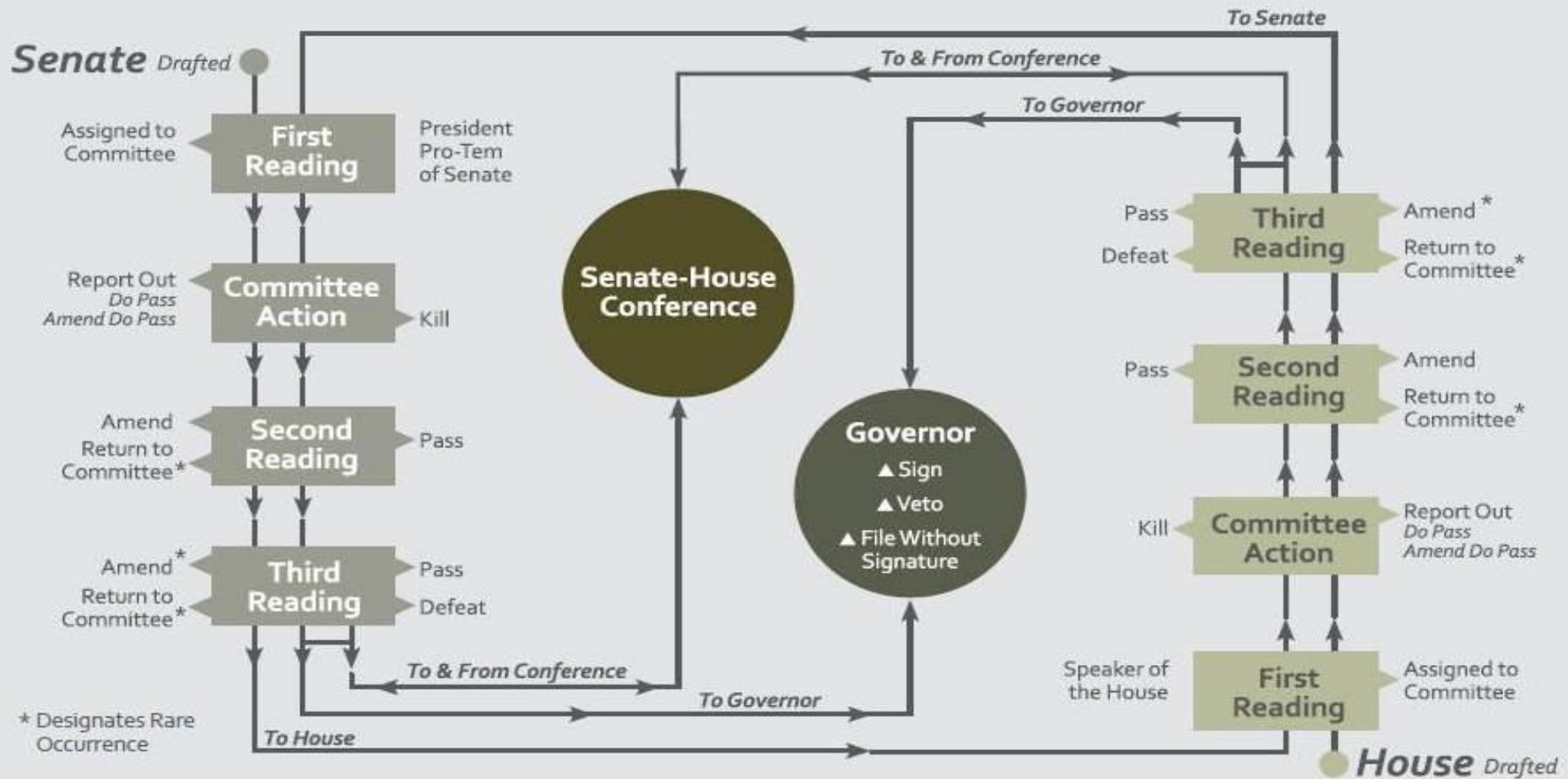


2016 “Short” Legislative Session

SENATE	HOUSE
JANUARY	
January 5: First Day of Session	
January 12: State of the State	
January 13: State of the Judiciary	
January 8: Bill Filing Deadline	January 12: Bill Filing Deadline
January 18: Statehouse Offices Closed (Martin Luther King, Jr. Holiday)	
January 28: Committee Reports Deadline	January 28: Committee Reports Deadline
FEBRUARY	
February 2: Second Reading Deadline	February 2: Second Reading Deadline
February 3: Third Reading Deadline	February 3: Third Reading Deadline
February 4-5: Mid-Session Break – No floor or committee activity	February 4-5: Mid-Session Break – No floor or committee activity
Bills Switch Chambers	
February 29: Committee Reports Deadline	February 29: Committee Reports Deadline
March	
March 2: Second Reading Deadline	March 2: Second Reading Deadline
March 3: Third Reading Deadline	March 3: Third Reading Deadline
March 7: Conference Committees Begin	
March 14: <i>Sine Die</i> Deadline	

How A Bill Becomes A Law In Indiana

The diagram below outlines the steps by which a bill introduced in the Senate or the House of Representatives becomes a law with possible actions at each step. Bills may originate in either house of the General Assembly except for revenue-raising bills, which must be introduced in the House of Representatives. IHA will notify you when grassroots action is needed at a particular stage of the legislative process.



2016 Session: Key Legislation (so far...)

- Religious Freedom Restoration Act (RFRA)
- Transportation and Road Funding
 - Cigarette tax increase
- Medical Malpractice
- Health Care Price Transparency
- Telehealth
- Prescribing Issues

Cigarette Tax Increase

HB 1001: Road Funding. (Soliday)

- Increases the cigarette tax by \$1.00 from \$0.995 to \$1.995 per pack beginning in FY 2017
 - Increase would produce an add'l \$227.4 M in FY 2015
 - Add'l revenue for Medicaid
- Appropriates \$2,000,000 to the ISDH tobacco use prevention and cessation program
 - Current funding: \$5M per FY 2016 and FY 2017

Medical Malpractice Act

SB 152: Medical Malpractice (Steele)

- Increases the overall cap on damage awards by \$400,000
 - \$1,250,000 to \$1,650,000, split evenly between the primary layer (\$450,000) and PCF (\$1,200,000)
 - Beginning 2019, CPI increases applied every 4 years
- Imposes a cap on legal fees (31%)
- Raises the current “direct access” threshold from \$15,000 to \$75,000.

Health Care Price Transparency

HB 1291: Access to health care cost information (Schaibley)

- Requires health care providers (hospitals, ASCs, and physician offices) and health plans to provide, upon request, to insured patients the estimated out-of-pocket costs the patient will incur for certain health care services.

Medicaid Provider Audits

- **HB 1226: Medicaid Provider Audits (Bacon)**
- **SB 364: Medicaid Provider Audits (Bassler)**
 - FSSA to establish workgroup of OMPP and various Medicaid providers to discuss policies and procedures used in performance of Medicaid provider audits and possible improvements to the process.
 - Before December 1, 2016, FSSA shall submit a written report of the workgroup's findings and any statutory recommendations to the General Assembly

Healthcare Administration & Policy

- **HB 1347: Mental Health Matters (Kirchhofer)**
 - Requires FSSA to reimburse under Medicaid for certain services performed by Advanced Practice Nurses and Licensed Addiction Counselors in CMHCs
 - Creates the Committee on Mental Health Provider Workforce Adequacy to study healthcare workforce shortages, particularly in the areas of mental health and substances abuse
- **SB 171: Electronic Health Care Claim Payments (Becker)**
 - Creates a study committee to review provider claim payment methods, particularly the use of electronic fund transfer and other methods involving banking fees

Healthcare Administration & Policy

- **SB 162: Hospital employee immunizations (Miller)**
 - Requires hospital workers with direct patient contact to be immunized against influenza, varicella, measles, mumps, rubella, tetanus, diphtheria, and pertussis.
 - Permits exceptions for medical contraindications and religious objections.
- **HB 1335: Video recordings of surgeries (Goodin)**
 - Requires health care facilities to provide patients with the option to video record certain surgical procedures.
 - Requires insurers to provide coverage for video recordings.

Telehealth: e-Prescribing

- **HB 1263: Prescriptions and Telemedicine (Kirchhofer)**
 - Permits Physicians, PAs and APNs to prescribe non-controlled legend drugs via telemedicine without having first examined the patient in person
 - Current law:
 - Prohibits physicians from prescribing without having “personally physically examined and diagnosed”
 - Telehealth Services Pilot Program: Waives the in-person, patient-physician relationship for select physicians for non-controlled substances only. Expires July 1, 2016.

Other Prescribing Issues

HB 1278: INSPECT program (Davisson)

- Require all prescribers to check INSPECT prior to prescribing a Schedule II or III controlled substances and to continually check a patient's INSPECT record at least quarterly thereafter.

SB 271: Drug Enforcement, Treatment, and Prevention (Merritt)

- Establishes Commission to coordinate state agencies to identify, study and promote strategies and best practices related to substances abuse prevention, treatment and enforcement.

Access to Ephedrine/Pseudoephedrine

- **HB 1157 (Frizzell) / SB 161 (Young): Drug offender block list.**
 - Prohibits over-the-counter sales of PSE to convicted drug offenders, while maintaining access to others.
- **SB 80 (Head): Pharmacists and ephedrine.**
 - Requires pharmacists to screen consumers prior to making over-the-counter sales of PSE and permits denial of sales on the basis of the pharmacist's professional judgment.
- **HB 1390 (Smaltz): Ephedrine and Pseudoephedrine.**
 - Maintains over-the-counter PSE access to known pharmacy customers. Unknown customers may be sold only extraction-resistant PSE or a 3-day supply – otherwise Rx is needed.



Please visit the Hall Render Blog at <http://blogs.hallrender.com> for more information on topics related to health care law.

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