

Despite no further legislative sessions this year, the wheels keep turning on political and advocacy issues. Please [contact us](#) if there is a topic that you think we missed, something on which you would like to take action, or to get more information.

**Upcoming Primaries:** Here are some important upcoming dates to keep in mind:

- Aug. 4: Primary
- Sept. 22: National Voter Registration Day
- Oct. 26: Deadline to submit new registrations and voter updates online and by mail for the November General Election
- Nov. 3: General Election

As in recent years, WSMA has compiled a [“WAMPAC Report Card”](#) that provides details on how your legislators voted on the issues important to the house of medicine. It is intended to help guide physician participation in the election. If you would like to learn more about WSMA’s campaign engagement, you can find information about WAMPAC here.

**Surprise billing work group:** The Office of Financial Management (i.e. the Governor’s budget office) and the Office of the Insurance Commissioner are commencing a rulemaking to add anesthesia claims into a dataset used to help arbitrators settle disputes that arise from the state’s balance/surprise billing law. For background, our state’s balance billing law says that in the event “commercially reasonable” reimbursement for an outof-network service is in dispute, the claims goes to arbitration and their determination an arbitrator must consider information from a dataset compiled from our state’s all-payer claims database. Last year there was a rulemaking to compile the dataset, with representatives from the physician, hospital and insurance communities, as well as OFM and OIC. The process was fairly complicated and occasionally contentious. Anesthesia services were excluded from the dataset because our state’s claims data did not include a time component for anesthesia claims, rendering them impossible to draw meaningful conclusions from. Data requirements for claims submitted to the APCD was recently changed to require inclusion of the time component and now the Office of Financial Management (i.e. the Governor’s budget office) and the Office of the Insurance Commissioner are commencing a followup rulemaking to add anesthesia services into the dataset. For more information about this rulemaking, contact Sean Graham, WSMA’s government affairs director, at [sean@wsma.org](mailto:sean@wsma.org)

**Manual opt-out option for the MIPS program:** CMS announced that physicians will have the option to opt out completely or partially from the 2020 MIPS program by completing a hardship exemption application and indicating it is due to the COVID-19 Public Health Emergency. Individual clinicians and group practices have until **Dec. 31, 2020** to complete the hardship application.

**Telemedicine proclamation extended:** Democrat and Republican leaders in the House and Senate have again approved extending Proclamations 20-29, 20-32, 20-27, and 20-36 (concerning telemedicine payment parity, healthcare worker licensing, electronic notary, and Certificate of Need program respectively) now through **Aug. 1**. There is ongoing advocacy to get these proclamations extended through the end of the year.

**Tell Congress to support telehealth during COVID-19 and beyond:** The current COVID-19 health crisis has put a massive strain on the health care system in our country. During this time, telehealth services have emerged as a critical tool to provide care to patients while supporting physical distancing

efforts and reducing the spread of COVID-19 and other infectious diseases by avoiding unnecessary outpatient visits. As Congress considers new "phase-four" COVID-19 relief legislation, they should ensure that telehealth services are covered and remain available at the end of the COVID-19 public health emergency. Specifically, Congress should permanently lift the geographic and site restrictions on telehealth technologies so all Medicare beneficiaries have access to telehealth services, including from home, regardless of where they live. Please contact your senators and representative today and tell them that any new COVID-19 relief legislation should include the telehealth provisions outlined above.

<https://www.votervoice.net/BroadcastLinks/A9Ov4FnumqIV2v-6jA-9HA>

**Rep. Kim Schrier introduces legislation mandating telemedicine payment parity for ERISA plans:**

Rep. Kim Schrier (D-08) introduced the Health Care at Home Act (HR 6644), which would require that self-insured ERISA plans pay at parity for care delivered via telemedicine, including audio, for the duration of the COVID-19 pandemic. The bill would also prohibit restrictions on the types of conditions that can be managed remotely and waive cost sharing for COVID-19-related treatment. Rep. Schrier's bill is necessary to create a level playing field for telemedicine as ERISA plans cannot be regulated on the state level and thus are not subject to the parity requirements that have been enacted elsewhere.

**Seattle City Council approves new payroll tax:** On July 6 the Seattle City Council approved the creation of a new payroll tax, to be imposed beginning in 2021 on businesses with a total payroll of more than \$7 million whose employees earn \$150,000 or more. Revenue from the tax is dedicated primarily to housing programs. It is a tiered tax. Mayor Jenny Durkan has not yet signed the legislation and there is concern about how the tax will impact the viability of physician practices.

**HCA's paying for value survey:** The Health Care Authority is seeking provider participation in an annual [paying for value survey](#). The survey will help track progress toward a statewide goal of paying for value-based care, rather than paying for volume of care. Providers who participate in this survey can provide insight into the challenges you face when considering adopting new payment arrangements. It will also help the HCA support providers and the health and wellness community as a whole. The survey is open until **5 p.m. on Monday, Aug. 31**. To learn more, visit the [paying for value webpage](#).