

# WSSA

## 2013 Legislative Session Update



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# Political Landscape



- **New Governor – Jay Inslee (D)**
  - Health Care Priorities; Budget Priorities??
- **House – D's Remain in Control**
  - 55 (D) – 43 (R)
- **Senate – Up for Grabs**
  - 26 (D) – 23 (R) – however, no working D majority!
  - 2 moderate Ds voting with the Rs switching control
  - How long will it last?

# 2013 Legislative Session



- **105 Days (long session)**
  - Began Monday, January 14, 2013
  - Ends April 28, 2013
  - Approximately 275 health care related bills introduced
  - March 13, 2013 – Last day to consider bills in house of origin
- **Budget Year & Another Budget Deficit**
  - Over 2 Billion shortfall
  - McCleary Decision - \$1 Billion for K-12 Education
  - \$1 billion in other cuts – health care a likely target
  - New taxes?
    - ✦ Passage of I-1185 requires 2/3 majority - unconstitutional
    - ✦ Inslee no new taxes pledge?
    - ✦ Senate roadblock?

# Medicaid Expansion



- **SB 5215 – Contracting Fairness; Alive**
  - Ensures contracting transparency and fair dealing
  - Notice of material changes (fee schedule) and right to reject change w/out terminating contract
  - No tying participation with licensure
- **SB 5631 – Non-par Medicaid Contracting; Dead**
  - Terminating the law that limits payment by Medicaid managed care providers to non-participating providers in January 2014.
  - Yakima Molina Case
  - Looking to amend to another bill.

# Health Insurance Exchange



- Exchange Funding:

- ✦ **SHB 1947 – Alive**

- Health Insurer Tax for products offered in the Exchange; and
- Premium Assessment

- Administrative Simplification – Prior Auth:

- ✦ **SB 5267 - Alive**

- Develops one uniform prior authorization form for prescription drug benefits across all plans (public and private). Must develop form by November 15, 2013.

# Budget



- **Defend against cuts to physician payment by state health care programs**
  - ✦ Access, Access, Access!
- **Ensure expiration of physician B&O services tax (0.3%)**
  - ✦ Physicians only - \$40 million for the biennium
  - ✦ Responding/absorbing reforms
- **Avoid ED Visit Type Cuts**
  - ✦ **SB 5288** – Paying Medicaid rates for Services Provided to Incarcerated Offenders

# Other Bills



- **SB 5492 - Provider Transparency - Training & Credentials**
  - ✦ Alive - Support
  - ✦ Requires providers to clearly disclose the type of doctor/provider and training/education
- **HB 1440 – Ensuring Fairness to Employers by Protecting Employee**
  - ✦ Alive – Oppose
  - ✦ Problematic definition of independent contractor
  - ✦ Should die in the Senate
- **HB 1565 - Prescription Monitoring Program Funding (PMP)**
  - ✦ Alive - Support
  - ✦ Funds the program out of the Medicaid Fraud Account

# Other Bills



- **HB 1155 & SB 5416 – E-prescribing Conformity**
  - ✦ Alive - Support
  - ✦ Conforms state law with federal law which now allows e-prescribing of controlled substances Schedule II-V (state law is limited to III-V)
- **HB 1182 – Including Pharmacists in the Legend Drug Act**
  - ✦ Alive – Oppose unless amended to reflect intent of original bill
  - ✦ Original bill simply clarified that licensed pharmacists may prescribe legend drugs to the extent allowed by a collaborative drug therapy agreement
  - ✦ Amended bill says may prescribe as authorized by the Board of Pharmacy
- **SB 5171 – Disclosure of Closed Claim Reporting**
  - ✦ Alive – Oppose
  - ✦ Removes the exemption from public disclosure settlements submitted to the OIC regarding closed medical malpractice claims



# Questions?



**Thank you**