

OhioAAP 2018 Annual Meeting

Ohio Advocacy Update

Becoming a Pediatric Hero for Kids at Ohio Statehouse



CAPITOL

Consulting Group, Inc.



Introduction



- Danny Hurley, Capitol Consulting Group
- 132nd General Assembly, 2nd Session
- Ohio General Assembly on Summer Recess, Lame Duck Session following November Election
- Remember to vote on November 6th!
- New Governor, Statewide Officeholders coming in 2019; Republicans expected to retain control of legislative branch
- Healthcare / Medicaid policy a top issue at Ohio Statehouse

Introduction to Ohio General Assembly



- **Ohio House of Representatives**

- 99 Members (66R/33D); led by Speaker selected from majority party
- Members serve 2-year terms, can serve a maximum of 4 terms
- Key committees—House Health, House Finance; chairs selected from majority party

- **Ohio Senate**

- 33 members (24R/9D); led by President selected from majority party
- Members serve 4-year terms, can serve maximum of 2 terms
- Key committees—Senate Medicaid/HHS, Senate Finance; chairs selected from majority party

- **Other Legislative Entities**

- Joint Medicaid Oversight Committee
- Joint Education Oversight Committee
- Ohio Commission on Infant Mortality

Recap of 132nd General Assembly Actions



- **HB 64—State Operating Budget for FY 18/19**
 - Medicaid is single largest state budget expenditure; Legislature growing more critical of program, several harmful provisions (i.e. work requirements) attached to budget
 - Several of Kasich line-item vetoes were overridden
 - OhioAAP Budget Priorities
 - ✦ Protect BCMH Program
 - ✦ Increase Tobacco Cessation Funding
 - ✦ Extend Fireworks Retail Permit Freeze
 - ✦ Preserve funding for CPC
- **House Bill 559—Immunization Policy**
 - Major focus following budget was introduction of immunization legislation
- **Several regulatory issues (OSMB One-bite rule, Medical Marijuana) have kept physician groups busy**

Status of Ohio Medicaid Program



- Ohio Medicaid expenditures finished State Fiscal Year 2018 \$340.5 million (\$678.6 million all funds) below estimate; SFY19 expenditures are \$168.7 million (\$213.9 million all funds) below estimate
- Trump Administration expected to approve work requirement waiver later this month—would apply to Medicaid Expansion (Group 8) adults only
- Major ODM Initiatives / Issues
 - Behavioral Health Redesign Roll-out
 - Pharmacy Benefit Manager Conduct
 - Managed Care Reprourement (2019)
- It is unclear what the next Governor will do with SIM Grant projects (CPC, Episode-Based Payments)
- ODM recently cancelled plans to unveil Primary Care Report Cards for Providers

OhioAAP Legislative Priorities for 2018



- Passage of HB 559 (immunization policy)
- Passage of HB 585 (gun control) and enactment of tax credit for gun storage systems
- Defeat of HB 226 (fireworks legalization)
- Defeat of harmful scope of practice measures—most notably, HB 726 (APRN independent practice)
- Passage of Step Therapy Bills (HB 72 and SB 56)
- Lay groundwork for 2019
 - State Operating Budget
 - Tobacco 21 Statewide push
 - Surprise Billing Legislation (Physicians for Fair Coverage)

Immunization Advocacy



- **House Bill 559 (School Entry Immunization Process)**
 - Sponsored by State Reps. Al Landis (R-Dover) and Anne Gonzales (R-Westerville); would establish standardized form and process for opt-outs
 - Has received several hearings in House Health Committee, some amendments adopted. Goal is passage this fall
- **House Bill 193 (Employer Flu Vaccine Mandates)**
 - Sponsored by State Rep. Christina Hagan (R-Alliance), would prohibit employers from requiring flu vaccine
 - OhioAAP and many other groups strongly oppose this measure; unlikely to pass in Lame Duck
- **Ohio Advocates for Medical Freedom**
 - Anti-vax group backing HB 193, fighting us on HB 559; will continue to be a nuisance in 2019

Key Legislation—Injury Prevention



- **House Bill 73 (DXM Sales to Minors)**
 - Sponsored by State Reps. Jeff Rezabek (R-Dayton) and Kyle Koehler (R-Springfield), would prohibit sales of OTC drugs containing DXM to minors
- **House Bill 226 (Fireworks Legalization)**
 - Sponsored by State Reps. Bill Seitz (R-Cincinnati) and Martin Sweeney (D-Cleveland), would legalize fireworks discharge in 2020 and create study committee to review regulations
- **House Bill 231 (Lockable Containers)**
 - Sponsored by State Reps. Robert Sprague (R-Findlay) and Tim Ginter (R-Salem), would establish pilot program for pharmacies to distribute controlled substances in lockable containers
- **House Bill 535 (Overdose Reporting)**
 - Sponsored by State Rep. Theresa Gavarone (R-Bowling Green), would require ODH to publish reports on overdoses and naloxone use
- **House Bill 585 (Gun Control)**
 - Sponsored by State Rep. Mike Henne (R-Clayton), based upon recommendations from Kasich work group; would establish 'red flag' law, ban bump stocks, and enact several other moderate gun control provisions.

Key Legislation—Scope of Practice



- **House Bill 131 (Physical Therapy Scope of Practice)**
 - Sponsored by State Reps. Theresa Gavarone (R-Bowling Green) and Bill Reineke (R-Tiffin); clarifies PT scope related to making diagnoses (originally was major PT scope expansion bill)
- **House Bill 191 (CRNA Independent Practice)**
 - Sponsored by State Rep. Anne Gonzales (R-Westerville), would allow CRNA's to practice without physician supervision
- **Senate Bill 275 (CRNA post-operative practice)**
 - Sponsored by State Sen. Dave Burke (R-Marysville), would grant CRNA's greater autonomy in the post-operative period
- **House Bill 326 (Psychologist Prescriptive Authority)**
 - Sponsored by State Reps. Bill Seitz (R-Cincinnati) and Theresa Gavarone (R-Bowling Green), would allow certain psychologists to prescribe psychotropic drugs
- **House Bill 726 (APRN Independent Practice)**
 - Sponsored by State Rep. Theresa Gavarone (R-Bowling Green), would grant APRN's with independent practice authority; also makes several changes to Ohio's youth sports concussion law

Key Legislation—Insurance Issues



- **House Bill 416 (Health Care Price Transparency)**
 - Sponsored by State Rep. Steve Huffman (R-Tipp City), would require patients to be given cost estimate for services scheduled at least 7 days from time of request
 - Developed with provider input, meant to be alternative to current law (held up by OHA, OSMA, OhioAAP lawsuit). Current law is unworkable for providers in Ohio
- **House Bill 72 and Senate Bill 56 (Step Therapy Reform)**
 - Sponsored by State Reps. Terry Johnson (R-McDermott) and Nickie Antonio (D-Lakewood) and State Sens. Peggy Lehner (R-Kettering) and Charleta Tavares (D-Columbus)
 - Seeks to reign in use of step therapy protocols; OhioAAP and several patient advocacy groups support these bills
- **House Bill 450 (Health Insurance Mandates)**
 - Sponsored by State Rep. Niraj Antani (R-Miamisburg), would reign in current health insurance coverage mandates in law and make future mandates more difficult to enact

Key Legislation—Other Healthcare Issues



- **House Bill 7 (Medical Liability)**
 - Sponsored by State Rep. Bob Cupp (R-Lima), would grant immunity to providers working in an emergency situation/disaster, would expand Ohio's 'apology statute', and would enact other protections
- **House Bill 273 (MOC Prohibition)**
 - Sponsored by State Rep. Theresa Gavarone (R-Bowling Green), would prohibit hospitals and health plans from requiring MOC for reimbursement, admitting, etc.
- **House Bill 286 (Palliative Care)**
 - Sponsored by State Rep. Sarah LaTourette (R-Bainbridge), would require hospitals to identify and connect patients to palliative care services
- **House Bill 658 (Gender Based Treatment)**
 - Sponsored by State Reps. Tom Brinkman (R-Cincinnati) and Paul Zeltwanger (R-Mason), would require governmental entities to identify transgender children

Preview of 133rd General Assembly



- New Governor, Statewide Officeholders will be sworn in
- Republicans expected to retain control of legislature
 - President Larry Obhof (R-Medina) will lead Ohio Senate
 - Speaker Ryan Smith (R-Bidwell) will face a challenge from State Rep. Larry Householder (R-Glenford) for leadership of Ohio House of Representatives
- First six months of 2019 will be focused largely on state operating budget for FY2020-FY2021
- Several health care issues on the horizon, including APRN independent practice
- Senate Health, Human Services, and Medicaid Committee Chair Dave Burke (R-Marysville) expected to retain gavel
- House Health Committee Chair Steve Huffman (R-Tipp City) running for Senate, State Rep. Theresa Gavarone (R-Bowling Green) expected to take over House Health Committee

Top OhioAAP Priorities for 2019



- **Immunization Policy and Related Issues**
 - Pursue legislation and rules to curb increase in opt-outs
 - Push back against efforts to undermine current immunization laws
- **Statewide Youth Bike Helmet Legislation**
 - OhioAAP unsuccessfully fought for passage of a law in 130th General Assembly; new legislators, renewed interest in this issue
- **Tobacco 21 Statewide Push**
 - Several cities have passed ordinances in recent years to restrict tobacco/e-cig purchases to adults age 21 and older
 - Legislative Republicans strongly oppose tax increases—Tobacco 21 could be a way to address smoking rates without tax component
- **Surprise Billing Legislation**
 - Physicians for Fair Coverage advancing legislation to deal with surprise out of network charges
- **Scope of Practice Legislation**
 - APRN independent practice issue expected to resurface next year, other provider groups also expected to introduce scope expansion bills

FY 2020/2021 Operating Budget



- Both Gubernatorial candidates have committed to preserving Medicaid Expansion, but could face resistance from Republicans in General Assembly
- Healthcare community will need to push back against attempts to enact harmful Medicaid provisions
- OhioAAP and other advocates will need to ensure BCMH, cessation funding, and other public health priorities are protected
- Given positive state revenue and economic indicators, could be opportunity for a pediatric/primary care rate increase; Republicans will likely want to use revenue for tax cuts
- Budget will be unveiled by Governor in March—must be enacted by June 30th

2018 General Election—Statewide Races



- **Ohio Governor's Race**

- Ohio Attorney General Mike DeWine (R) squaring off against former CFPB Director Richard Cordray (D)
- Polling shows Ohio Gubernatorial Race is a toss-up, expected to be closely watched nationwide

- **Other statewide contests**

- Attorney General—Dave Yost (R) v. Steve Dettelbach (D)
- Auditor of State—Keith Faber (R) v. Zack Space (D)
- Secretary of State—Frank LaRose (R) v. Kathleen Clyde (D)
- Treasurer of State—Robert Sprague (R) v. Rob Richardson (D)

- **Ohio Supreme Court**

- Mary DeGenaro (R) v. Melody Stewart (D)
- Craig Baldwin (R) v. Michael Donnelly (D)

2018 General Election—Congressional Races



- **United States Senate**

- Incumbent Democratic Senator Sherrod Brown (D) has healthy lead in polls over challenger Jim Renacci (R); national Republicans focused on other races
- Republican Senator Rob Portman not up for reelection this year

- **Key Congressional Races**

- Ohio 1st District—Steve Chabot (R) v. Aftab Pureval (D)
- Ohio 12th District—Troy Balderson (R) v. Danny O'Connor (D)
- Generally, most Ohio Congressional races are not competitive due to current maps

- **Nationally, Democrats have strong chance of regaining control of US House of Representatives**

2018 General Election—Ohio General Assembly



- **Republicans have strong majorities in each chamber, have benefit of favorable maps and fundraising**
- **Ohio Senate**
 - 5th District—Steve Huffman (R) v. Paul Bradley (D)
 - 13th District—Nathan Manning (R) v. Sharon Sweda (D)
 - 33rd District—Michael Rulli (R) v. John Bocchieri (D)
- **Ohio House of Representatives**
 - Several competitive races, Democrats focusing on eight or so key GOP-held seats; Republicans likely to lose some ground
 - 21st District—Stu Harris (R) v. Beth Liston (D); Dr. Liston is a pediatrician!

What Can You Do to Help?



- **Be sure to vote on November 6th!**
- **Connecting with your elected officials**
 - OhioAAP regularly sends out action alerts—consider writing/calling/e-mailing your state rep and state senator
 - Member of the Ohio General Assembly are very accessible, invite them to coffee or attend a district event
- **Legislative Advocacy**
 - If there is an issue or bill you're passionate about, we always need witnesses for committee hearings
 - You can also meet with legislators in Columbus to advocate for OhioAAP priorities
- **Legislators need to hear from you, most of them aren't doctors!**

Questions?



CAPITOL

Consulting Group, Inc.

