



# 2009 Legislative Priorities

Medical Association of Georgia

The Medical Association of Georgia's priorities for the 2009 legislative session of the Georgia General Assembly include:

- Trauma Funding
- Insurance Reform
- Medicaid Issues
  - Payment Issues
  - CMO Reform
  - PeachCare
- The Protection of Tort Reform
- Pharmacy Benefit Manager (PBM) Regulation
- Scope of Practice Issues
- Laser Technician Regulation
- Client Billing
- The Medically Uninsured
- Influenza Vaccine
- Medical Practice Act Reform
- Tobacco Use

**MAG'S HEALTH CARE PRESCRIPTION FOR GEORGIA**

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## **Trauma Funding**

Georgia's trauma system is woefully inadequate. It is estimated that some 700 Georgians lose their lives each year (20 percent higher than the national average) because we do not have an adequate trauma care system in Georgia. In 2007, the Georgia General Assembly passed S.B. 60, a bill that established the Georgia Trauma Commission to create a plan for trauma care and manage the trauma network. In 2007, however, the legislature did not fund the trauma system to the extent needed. In 2008, MAG, the hospital associations, other health care associations and the EMS community formed a coalition to secure a funding package for trauma care, but no bill passed during the 2008 session. It is imperative that we again pursue legislation that will create an adequate trauma care system in the state to protect patients in Georgia.

## **Insurance Reform**

In the 2007 and 2008 legislative sessions, MAG was able to pass a bill that would expand Georgia's prompt pay statute to cover all insurance plans in Georgia. The bill that passed the House of Representatives was slightly different than the Senate version and the 2008 session ran out before MAG could obtain an agreement from the Senate for the modified language. It is important for MAG to pursue this bill again in 2009. There are several other insurance reform-related bills that have been discussed in the legislature, such as a measure that would eliminate the need for prior approval on prescription medications and bills that would require more accountability for the administration of health plans that we support. Another problem with health insurance that MAG will address is the verification of patient eligibility and retroactive denials. The health plan should ensure that patient eligibility lists are both current and accurate.

## **Medicaid Issues**

- In 2008, MAG was able to obtain a two percent increase in the Medicaid payment rate for physicians. However, due to the current budget crisis Gov. Sonny Perdue has asked each administrative department to cut its projected budget by six percent or higher as necessary, thus stalling the two percent pay rate increase. MAG will work with the executive branch and the legislature to find a solution for this problem.
- In 2008, MAG, the hospitals, and others were able to pass a Care Management Organization (CMO) Reform package that brings the CMOs under the provisions of the insurance code in Georgia. This was a needed positive step in CMO reform. MAG will protect the CMO reforms it was able to secure, and it will look for other reform opportunities.
- PeachCare has been an issue for much debate for the past several years. MAG will support the maintenance of a strong and effective PeachCare program to support Georgia's children.

## **Protect Tort Reform**

MAG will be vigilant in protecting the provisions of the 2005 tort reform package.

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### **Pharmacy Benefit Manager (PBM) Regulation**

Current MAG policy calls for appropriate regulation of Pharmacy Benefit Managers. H.B. 798 by Rep. Austin Scott took steps to accomplish this in 2008, placing PBMs under the regulation of the Georgia Insurance Commissioner. MAG supported the bill, although it failed. This bill will be filed again in the 2009 legislative session and MAG will continue to support this legislation.

### **Scope of Practice Issues**

Scope of practice issues often arise in the course of legislative sessions. In the past two years, MAG has witnessed challenges from the nurses, optometrists, psychologists and other groups to expand their scope of practice. MAG will continue to engage in scope of practice legislation, and will oppose initiatives to inappropriately expand the scope of practice of non-physician practitioners.

### **Laser Technician Regulation**

In 2007, a bill passed the legislature that requires licensure for laser technicians in Georgia. While a good basic concept, the bill provided an unacceptable level of unsupervised patient care to non-physicians. Two bills designed to correct this problem were introduced in 2008 although neither passed both chambers. MAG will pursue initiatives that will bring strong measures of patient safety back into this industry in Georgia.

### **Client Billing**

The Georgia Association of Pathologists has pursued legislation for several years to prohibit physicians from billing for pathology services unless they personally perform or supervise the work. This legislation has been opposed by several medical specialty societies. In the 2007 MAG House of Delegates meeting, delegates adopted a policy to oppose the bill, and MAG successfully opposed the measure in the 2008 legislative session. MAG is seeking a compromise but as per current policy will oppose the bill if it is filed again. Meaningful compromise on this issue is needed.

### **The Medically Uninsured**

In 2008, the Georgia General Assembly passed legislation that will provide a method for approximately 500,000 of Georgia's 1.7 million medically uninsured to obtain health insurance. This bill was a step in the right direction, although more needs to be done to assist Georgia's uninsured population.

### **Influenza Vaccine**

There are several non-physician groups in Georgia that are seeking to expand their authority to provide flu vaccinations in Georgia, including pharmacists and nurses. MAG has discussed this issue in detail with various groups and is willing to work with all stake holders in order to develop the best solution for the provision of flu vaccines as long as the legislative solution is in the best interest of Georgia's patients and patient safety.

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### **Medical Practice Act Reform**

The Medical Practice Act may be considered for revision in the 2009 legislative session. MAG will monitor and engage in deliberations of the proposed revisions and modifications of the act in order to maintain the best practice environment for Georgia's physicians and the best patient safety values and regulations.

### **Tobacco Issues**

All tobacco-related issues are of extreme importance because of their impact on patient safety. In addition, there are issues surrounding the use of tobacco settlement monies that will have an impact on medical practice and patient issues. MAG will engage in these discussions and support an increase in the state tobacco tax as a means of reducing the harmful use of tobacco in Georgia.

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