

Dear all:

Please allow this to be an update of MAG activities over the last few weeks. The Georgia General Assembly convened minutes ago. You will be receiving a full summary of the bills we followed this past legislative session in the next day or so. Please allow this to be a quick summary of how MAG's legislative priorities were addressed by the Georgia General Assembly.

Medicaid

Sen. Blake Tillery (R-Vidalia) introduced Georgia Gov. Brian Kemp's health care bill (S.B. 106), which will 1) authorize the Georgia Department of Community Health (DCH) to submit a Section 1115 waiver to the Centers for Medicare & Medicaid Services (CMS) to expand the number of Georgians who are insured by Georgia's Medicaid program and 2) enable Gov. Kemp to submit a Section 1332 waiver to the U.S. Secretary of Health and Human Services to get permission to "pursue innovative strategies for providing their residents with access to high quality, affordable health insurance." MAG's Position: Supported. Outcome: Passed and signed into law by Gov. Kemp.

Health Insurance

- **Surprise Insurance Coverage**

- Sen. Chuck Hufstetler (R-Rome) introduced legislation (S.B. 56) that would have 1) resulted in greater transparency for elective procedures and 2) established a patient/physician mediation process for bills that are related to "unexpected events" that take place during elective medical procedures and 3) established a standard physician payment model for out-of-network emergency care – the 80th percentile of the independent/neutral 'FAIR Health' database. The House Insurance Committee replaced these provisions with the transparency language from H.B. 84 and a standard physician payment for out-of-network emergency care of the greater of 150 percent of Medicare or the contracted rate. MAG's Position: Opposed with the new language. Outcome: Did not pass.
- Rep. Trey Rhodes (R-Greensboro) introduced a bill (H.B. 540) that was amended to include the "surprise health insurance coverage gap" provisions of a measure (S.B. 56) that was introduced by Sen. Chuck Hufstetler (R-Rome) that would 1) result in greater transparency for elective procedures and 2) establish a patient/physician mediation process for bills that are related to "unexpected events" that take place during elective medical procedures and 3) establish a standard physician payment model for out-of-network emergency care – a blended rate that encompasses the average of the 80th percentile of charges and the 95th percentile of allowed amounts from an independent, non-profit database. MAG's Position: Supported. Outcome: Did not pass.
- At this point, we remain disappointed this issue has not been resolved. However, every year we continue to move closer to a solution. MAG and the coalition of physician specialties attempted compromise on the payment model without success. This year, AARP and other advocacy groups supported the physician and provider solution. We remain committed to solving this issue and look forward to further conversations with Chairman Richard Smith (R-Columbus)

- **Step Therapy**

- Rep. Sharon Cooper (R-Marietta) introduced a bill (H.B. 63) that would create exceptions to the state’s step therapy protocols. MAG’s Position: Supported. Outcome: Passed.

Tort Reform

- Rep. Deborah Silcox (R-Sandy Springs) introduced a bill (H.B. 128) that will exempt “low” payments under high-low agreements in medical malpractice agreements from the requirement to report settlements to the Georgia Composite Medical Board. MAG’s Position: Supported. Outcome: Passed.
- Sen. Steve Gooch (R-Dahlonega) introduced a resolution to study the tort environment in Georgia. MAG’s Position: Supported. Outcome: Passed.

Rural Health

- Sen. Kay Kirkpatrick, M.D. (R-Marietta) introduced a ‘Medical Licensure Compact’ bill (S.B. 16) that will allow Georgia to join the Interstate Medical Licensure Compact to make it easier for physicians to obtain licenses in other participating states. MAG’s Position: Supported. Outcome: Passed.
- Sen. Kay Kirkpatrick, M.D. (R-Marietta) introduced the ‘Direct Primary Care Act’ (S.B. 18), which will allow physicians to enter into direct primary care agreements with their patients without being subject to health insurance regulations. MAG’s Position: Supported. Outcome: Passed.
- Sen. Renee Unterman (R-Buford) introduced a bill (S.B. 115) that will establish a Georgia telemedicine license for physicians in other states. MAG’s Position: Supported. Outcome: Passed.
- Sen. Renee Unterman (R-Buford) introduced a bill (S.B. 118) that will amend portions of the ‘Georgia Telemedicine Act’ – including prohibiting insurers from requiring their customers to use telemedicine and providing pay equity for health care providers using telemedicine. MAG’s Position: Supported. Outcome: Passed.

Scope of Practice

Sen. Chuck Hufstetler (R-Rome) introduced a resolution (S.R. 202) that would create a joint study committee that would be tasked with looking at ways to simplify the physician oversight process for mid-level health care providers, including the number of each type of mid-level provider that a physician can supervise. MAG’s Position: Supported. Outcome: Passed.

We want to thank Drs. Rutledge Forney (MAG President) and Scott Bohlke (MAG Council on Legislation) for their leadership during the session. We also want to thank the physicians, specialty societies and county medical societies for their support this legislative session. Finally, a big thank you to MAG Legislative Team - Derek Norton, Bethany Sherrer and Christiana Craddock – and MAG’s outside counsel – Travis Lindley and Devin Krecl – for their hard work and another successful legislative session.

If you should have any questions, please do not hesitate to call.

Donald

Donald J. Palmisano, Jr. J.D. | Executive Director & Chief Executive Officer
Medical Association of Georgia
1849 The Exchange Suite 200 | Atlanta, Georgia 30339
678-303-9290 (Phone) | 404-312-9030 (Mobile)
dpalmisano@mag.org | www.mag.org

