Tort Reform

Chapter 260 of the Acts of 2020 expanded the scope of practice for nurse practitioners, nurse

Just passed medicaid expansion as a ballot measure, but has yet to

None active

4/20/2023

OR-ACEP successfully advocated for HB 2395,

SB 126 - legislation to prohibit non-compete clauses for ph

Arizona passed a Burden of proof law raising the needed

None active

Elena Lopez-Gusman elopez-

Other Leg

NJACEP actively opposing current legislation, which would offer APNs independent practice in

We continue to fight a Full Practice Authority bill that has been introduced in the subcommittee of

INACEP always opposes. SB 400 this year championed by INACEP which will require

him to withdraw the bill.   He unfortunately seems to be making this a big campaign issue.

None active

2/1/2023

have a similarly bill

have a bill before the 2023 legislature to strike physician

relative to patient care access (Galvin). This bill would

COVID liability protection enacted 2020, HB 826/Act 336

Governor's Office (potential inclusion of 3rd party litigation

noneconomic damages for physicians ($1M) and

venue. Problematic given the high rate of jury awards and

Association have weighed in with concerns on the current

session.  That bill went into a study last year and will likely

$50,000; and expand the existing peer review statutes and

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None active None active None active None active None active

2015 Iowa privitized medicade now run by multiple MCO companies.

2022 CA expanded Medicaid access to all income-eligible (138%...

Many of the bills we have written over the years have been killed in the

HB 99 regarding patients' coverage for emergency services continues to have hearings before the

Also requires completion of "Start Talking" form

HB 4922 expands to EMS

registry system.  Being implimented this year. December 2023

Dozens of bills have been introduced each year for the past

A key focus of our current administration and legislature.

None active None active None active None active None active

None active

Recent reimbursement increases and telehealth parity for MH

issues in the upcoming session.

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Comprehensive legislation was passed in the last session:

MH patients to non-ED alternative locations

None active

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Ohio ACEP met with Medicaid and submitted comments on the

Medicaid Fee Schedule. Due to these efforts Medicaid is increasing

significant increases in reimbursement for transportation services.

care fees will increase roughly 24-57%. Additionally Medicaid made

Medicaid made redetermination process, renewing all 2.3M members over the following

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Texas
Practice under delegation agreements—there are annual attempts to get rid of this requirement.
Major medical liability reforms passed in 2003. Non-economic damages capped at $250,000 for physician. ($750,000 stacked including hospitals and unrelated entities). Proposition 12 adopted this to the state constitution. Legal standard is "Willful and Wanton" conduct to prove negligence vs emergency care physician.
Third degree felony to assault emergency services personnel while providing emergency services.
Have not adopted Medicaid expansion.
As of January 1, 2020, SB1264 banned out of network balance billing for plans regulated by the Texas Department of Insurance and the teachers retirement system. Established an IDR process.
Prescribers must query the Prescription drug monitoring program database when prescribing schedule 2 drugs. Standing order available to third parties (such as pharmacies) for naloxone since SB1462 passed in 2015.
None
None
Tort reform challenged every legislative session to index the cap to inflation.
2/1/2023
djeffreymd@gmail.com

Utah
Longstanding independent practice.
PA
annual expansion attempt, currently needs supervision within hospitals.
Longstanding, with prelitigation panels, affidavit of merit.
2022 saw the Utah Medical Candor Act, governing discussion with families about poor outcomes.
UMA supporting legislation to expand care. Last year multiple new psych residency slots opened, and telehealth expanded.
Class A misdemeanor to assault or threaten, Class 3 felony if causes serious bodily harm. Since 2016 for ED staff, 2022 for any healthcare worker. Equivalent to LEO.
None None None None None None

West Virginia
Legal independent practice (after 2y of collaboration). In practice, IPA is being fought at the hospital association and payor level.
Caps in place since early 2000's. Legislation to require a screening Certificate of Merit was supported by WVACEP.
Supporting development of pediatric mental health centers. Also, working with hospital association to improve Medicaid reimbursement.
Supported legislation passed in 2020 to make violence against HCW's and EMS a felony.
None None
mandated to check database
None
Legislation working on EMS wait times, palliative care, and a treatment in place program (community paramedicine).
1/1/2023
Darby Copeland (WV Exec) and Christopher Goode (WV state medical association legislative chair)

Wisconsin
NP increased scope of practice bill vetoed by Gov last session, expected to try again this year.
Nothing active
We expect there to be legislation and provisions in the Governor's budget related to existing mental health programming, potentially creating more beds and more access to crisis stabilization.
Nothing active
Gov repeatedly supports expansion, doesn't get legislative traction; Also, we achieved an increase in Medicaid reimbursement for emergency services in 2021, implemented in 2022. We are working now for another increase in the budget coming up to be implemented in 2024.
Nothing active
Clinicians have to check PDMP for Rx >3d and need 2h/y in opioid CME, but this was implemented several years ago, nothing active. Potential for new legislation but not sure what that would be right now.
None None None None None
Lisa Maurer