

Chiropractic Fellowship of PA Summary of Legislation December 2016

2015-16 Session Ends Quietly, Bills for Next Session Already Being Circulated

The often turbulent 2015-16 legislative session, marked by the longest budget stalemate in history, ended officially on November 30, with little activity since the last report. But fresh off an overwhelmingly Republican November election season in the commonwealth, which saw the Senate Republicans increase their margin to a “veto-proof” 34-16 advantage, and House Republicans move their number to 121, legislators turned their attention to the upcoming two-year term that begins officially with swearing-in ceremonies on January 3, by circulation hundreds of memos announcing introduction, or in many cases, reintroduction, of bills on a vast array of topics that they hope will be considered in 2017-18. A list of those memos follows below.

Electoral College Meets, Chooses Trump

Amid scores of protesters outside the capitol, the 20 elected members of the PA Electoral College delegation met on December 19 in the state House chambers, and affirmed the November 8 election results, giving Donald Trump its votes, which along with those of the other states, officially elected Trump President of the United States. Trump will take office on January 20, 2017.

Mid-Year Budget Briefing: Equal Mix of Doom And Gloom With A Twist Of Optimism

Budget Sec. Randy Albright held the annual mid-year budget briefing on December 14, offering a retrospective on the current fiscal year and looking ahead to what challenges will confront lawmakers in crafting the spending plan for the coming fiscal year. Sec. Albright reported the \$31.5 billion budget for FY 2016-2017 is likely to come in \$603.7 million short due to a combination of lower-than-anticipated revenue collections and suggested **\$182 million supplemental appropriation to augment spending the Department of Human Services will be required.**

Last month, the Independent Fiscal Office said the department would likely need a supplemental appropriation of around \$400 million, but Sec. Albright said internal moves by the administration have cut that in half.

“The budget we inherited in our first year and the budget challenges we continue to face in the third year wouldn’t be on the breeziest side of the ledger,” he said. “[The budget issues are] significant, they’re as significant or more significant than any previous administration has faced at least in my 30-plus years of state service.”

The current practice of trying to mitigate costs within the Department of Human Services is, according to Sec. Albright, a likely sign of things to come in terms of cost containment as the entire Wolf administration seeks to dampen the impact of a large deficit for the current year and likely struggles making ends meet in the coming fiscal year.

“I think that what we intend to do is work very surgically within each department,” he said. “These decisions are best done and best made from the bottom-up rather than edicts that come from the top down.”

Further complicating the deficit number is that it assumes \$100 million from gaming expansion revenue, something the legislature failed to agree on in the last half of the year before adjourning for the session.

However, Sec. Albright said, a recent meeting between Gov. Tom Wolf and legislative leaders from all four caucuses presented a renewed desire on behalf of legislative players to push **some form of gaming expansion** through in the early part of the 2017-2018 legislative term. Additionally, he said, most of the \$100 million would come from one-time fees, so the budgeted-for amount could still be attainable in the current fiscal year.

According to Sec. Albright, the Commonwealth will have to grapple with mandated increased expenditures for **pension contributions** and General Fund debt obligations, but also likely to have to increase the General Fund’s

obligation to the solvency of the Lottery Fund and provide larger amounts in terms of federal matching funds and expanding service needs in the area of human services.

In articulating administration priorities for the coming budget year, Sec. Albright said—while the governor will present a detailed strategy for how to balance the budget during his February 7, 2017, budget address—the governor will not abandon his commitment to schools, nonprofits, local governments, and middle class families impacted by the Great Recession. Additionally, he said, the governor will maintain his commitment to seeking increased education funding and exhausting opportunities for reasonable cuts and spending reductions before asking the taxpayers for more money.

This was a sentiment that was emphasized by Republicans that same day. House Majority Leader Dave Reed (R-Indiana) doubled down on previous statements made about rethinking the structure of government as budgeting moves forward by proposing mergers of various state departments that provide overlapping and similar services. **Particularly noted was merging the Department of Health and the Department of Human Services.** Sec. Albright Wednesday expressed some skepticism about the feasibility of mergers, especially given the legislature **failed to pass a merger of the Department of Corrections and the Board of Probation and Parole**, something most involved in process felt was a reasonable move. He added, however, “[o]f course, we have to be open to considering any reasonable ideas or suggestions to provide a more effective or efficient delivery of programs or services.”

Senate Republicans also responded to the mid-year budget briefing, saying the administration's numbers were more optimistic than what they've been seeing.

"We tend to be more cautious on our approach and we are hoping that in the coming months to have a better understanding of how the administration arrived at these numbers," said caucus spokesperson Jennifer Kocher. "At the same time, we will continue to look for efficiencies in government and other revenue sources before we would ever consider turning to taxpayers."

Sec. Albright said that “everything is on the table” in terms of revenue sources, but the hope is to work with every diligence to avoid going to taxpayers for more money. All the negative news aside, Sec. Albright noted there are some positive national trends that nod in favor of an overall economic turnaround that could spell brighter days for Pennsylvania budgeting. While he pointed out leveling increases in pension obligations, a predicted increase in personal income, and an increasing Federal Reserve interest rate, there appears to be a large pent-up demand awaiting the results of the Presidential election, which is best signified by recent stock market gains.

As previously stated, Gov. Wolf is expected to give his annual budget address on February 7, 2017, at which time more details about the administration’s proposal for a budget path forward will be released and the true run-up to the enactment of a spending plan for FY 2017-2018 will begin.

December 8 DHS Medical Assistance Advisory Committee Notes

Leesa Allen, Deputy Secretary, Office of Medical Assistance Programs (OMAP), began by discussing the status of the HealthChoices reprocurement. She explained that the “process is ongoing” and that the implementation date has been moved from April 1 to June 1. She emphasized the June 1 date is “very preliminary” and indicated that the date may change. “We will go through a readiness review process associated with the reprocurement,” she stated. Allen thanked the committee for their collaborative efforts on a number of initiatives in 2016 and highlighted the **shared space revisions**. “We issued a statement of policy and we are still moving forward to the next step which is to revise the regulation associated with the current prohibition in our regulations around shared space,” she stated. Allen also commended committee members for their work regarding provider enrollment and noted that the department is now processing enrollments within 39 days. She affirmed that the department is examining the issue of credentialing. “We will continue to focus now on making sure that with the next steps with the credentialing plan we will look at a coordinated process,” she stated.

Allen also highlighted the successful **technology initiatives** such as **electronic health records**. “As we move into the reprocurement of our MMIS (Medicaid Management Information Systems) program and moving into what Centers for Medicare & Medicaid Services (CMS) is requiring at this point in time around modularity there are lots

of opportunities we will bringing to the committee to talk through and how can we do things different in term of our processes and brining technology into our programs,” she stated.

Turning to Medicaid Managed Care regulations, Allen explained that there may be changes to requirements by the incoming Trump administration. “We are in a wait and see mode to see how far some of those provisions proceed but we are certainly are doing our due diligence on how they will impact our systems across DHS,” she stated. “There has been a lot of conversation about what will happen with Medicaid expansion. We don’t know; we have to wait and see. It’s very difficult to speculate at this point.”

Joseph Glinka, Legislative Director, Gateway Health Plan, Pittsburgh inquired about the Managed Care final regulation and questioned if potential changes made by the incoming administration will have to go through a public comment period. Allen responded, “I would assume that would be the process.”

Richard Edley, Ph.D., Executive Director, Rehabilitation and Community Providers Association questioned if there are still issues regarding physician assistants and the “ordering, referring, and prescribing” requirements. Allen said the requirements are in effect for states. “On the physician assistant side we have created a separated enrollment application for them that will allow them to enroll for the purposes of ordering, referring, and prescribing even though they are not being paid through the Medical Assistance program,” she stated.

The next meeting MAAC Meeting is scheduled for **Thursday January 26, 2016**, Lecture Hall 246/248, Temple University Harrisburg, 234 Strawberry Square.

Senate and House Announce New Standing Committee Chairs

Senate President Pro Tempore Joe Scarnati and House Speaker Mike Turzai have announced the appointment of new Chairs for the 2017-18 session. Those committees of interest to CFOP are as follows.

Appropriations:

Pat Browne (R-Lehigh)

Vincent Hughes (D-Philadelphia)

Banking & Insurance:

Donald White (R-Indiana)

Sharif Street (D-Philadelphia)

Consumer Protection & Professional Licensure:

Robert Tomlinson (R-Bucks)

Lisa Boscola (D-Northampton)

Education:

John Eichelberger (R-Blair)

Andrew Dinniman (D-Chester)

Labor & Industry:

Kim Ward (R-Westmoreland)

Tina Tartaglione (D-Philadelphia)

Public Health & Welfare:

Lisa Baker (R-Luzerne)

Judy Schwank (D-Berks)

Rules & Executive Nominations:

Jake Corman (R-Centre)

Jay Costa (D-Allegheny)

House Committee Chairs for 2017-18

House Appropriations

Stanley Saylor (R-York)

Joseph Markosek (D-Allegheny)

House Children and Youth

Katharine Watson (R-Bucks)

Scott Conklin (D-Centre)

House Education

Dave Hickernell (R-Lancaster)

James Roebuck (D-Philadelphia)

House Health

Matt Baker (R-Tioga)

Flo Fabrizio (D-Erie)

House Human Services

Gene DiGirolamo (R-Bucks)

Angel Cruz (D-Philadelphia)

House Insurance

Tina Pickett (R-Bradford)

Tony DeLuca (D-Allegheny)

House Labor and Industry

Rob Kauffman (R-Franklin)

John Galloway (D-Bucks)

House Professional Licensure

Mark Mustio (R-Allegheny)

Harry Readshaw (D-Allegheny)

Legislative Activity

The following bills of interest to CFoP were acted on by the General Assembly this past month.

Scope of Practice/Licensure Bills

[HCO 75](#) (Baker) - Regulates pain management clinics.

Filed, 12/5/2016

Budget-Related Bills

NONE

Child Abuse Reporting

NONE

Health Care Bills

NONE

Health Care Work Force Bills

[HCO 245](#) (Kortz) - Establishes the Physician Retention Loan Forgiveness Program in the PA Higher Education Assistance Agency.

Filed, 12/14/2016

[HCO 247](#) (Kortz) - Establishes the Loan Forgiveness for Dentists Program in the PA Higher Education Assistance Agency.

Filed, 12/14/2016

[SCO 105](#) (Hughes) - Creates the Health-Related Industries Educational Scholarship Program.

Filed, 12/7/2016

Health Insurance Bills

[HCO 154](#) (Baker) - Provides for the use of a certain credentialing application that health care providers will be required to use when seeking to become credentialed by a health insurer.

Filed, 12/7/2016

[HCO 204](#) (Baker) - Legislative package providing for health insurance options.

Filed, 12/12/2016

Medical Assistance/DHS

NONE

Partnerships/Liability

NONE

Sales Tax Expansion

NONE

WORKER'S COMP

NONE

Upcoming meetings of Interest

Some House Committee meetings and session can be viewed online at: <http://www.pahousegop.com/>

Senate Committee meetings and session can be streamed at: <http://www.pasenategop.com/>

The 2015-16 Legislative Session officially ended on November 30. Any bills that did not make it to the Governor's desk died, and must be reintroduced next session.

2017 SENATE SESSION SCHEDULE

January	3, 23, 24, 25, 30, 31
February	1, 6, 7, 8
March	20, 21, 22, 27, 28, 29
April	17, 18, 19, 24, 25, 26
May	8, 9, 10, 22, 23, 24
June	5, 6, 7, 12, 13, 14, 19, 20, 21, 22, 26, 27, 28, 29, 30

2017 HOUSE SESSION SCHEDULE

January	3, 23, 24, 25
February	6, 7, 8
March	13, 14, 15, 20, 21, 22

April 3, 4, 5, 18, 19, 24, 25, 26
May 8, 9, 10, 22, 23, 24
June 5, 6, 7, 12, 13, 14, 19, 20, 21, 22, 26, 27, 28, 29, 30

Note: the Governor will make his 2016-17 Budget Address on February 7, then the House and Senate will recess for budget hearings during February and March. The schedule of hearings will be announced later.

State Board of Chiropractic Board Meeting Schedule

2017 Meeting Dates (Subject to Change)

January 19
March 23
May 18
July 20
September 21
November 9

All Board meetings are held at Penn Center, 2601 N. 3rd Street, Harrisburg, PA, at 9 AM

DHS Medical Assistance Advisory Committee (MAAC)

ALL MEETINGS ARE SCHEDULED FROM 10:00 A.M. TO 12 NOON

Lecture Hall 246/248

Temple University Harrisburg

234 Strawberry Square

Harrisburg, PA

2017 Meeting Dates

JANUARY 26

FEBRUARY 23

MARCH 23

APRIL 27

MAY 25

JUNE 29

JULY 27

AUGUST: NO MEETING

SEPTEMBER 28

OCTOBER 26

NOVEMBER: NO MEETING

DECEMBER 14

Copies of bills described above can be obtained through the CFOP office, or on-line at:

<http://www.legis.state.pa.us/cfdocs/legis/home/session.cfm>