

Chiropractic Fellowship of PA Summary of Legislation February 2018

State Board Published Proposed Specialties Regulation

The State Board of Chiropractic has published proposed rulemaking regarding Chiropractic Specialties. This regulation has been discussed for over a decade, and is now finally being put out for public comment. Much of the issue the Board had struggled with was how to create a list that the Board recognized as legitimate, without missing one, or being outdated as soon as it was published. The Board finally settled on language “to provide that advertising is fraudulent, false, deceptive or misleading, and therefore grounds for disciplinary action, if the advertising represents that the licensee holds certification 'or otherwise is a specialist in a chiropractic specialty unless the licensee holds certification or diplomate status in that specialty from a specialty board recognized by the American Board of Chiropractic Specialties,' rather than simply holding a certification in a specialty.”.

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed rulemaking to the Regulatory Unit Counsel, Department of State, State Board of Chiropractic, PO Box 69523, Harrisburg, RA-STRegulatoryCounsel@pa.gov within 30 days following publication of this proposed rulemaking. The regulation appears in the February 24, 2018, PA Bulletin, making comments due by March 26. The proposed regulation can be viewed here: <https://www.pabulletin.com/secure/data/vol48/48-8/290.html>

Rep. Baker Resigns, Accepts HHS Appointment

House Health Committee Chairman Rep. Matt Baker (R-Tioga/Bradford/Potter) announced February 19 that he would be resigning from the Pennsylvania House of Representatives, effective immediately. The decision comes after the 25-year House veteran was offered a presidential appointment to serve his country in a new capacity.

“It is with great sadness that I am leaving the House of Representatives sooner than I would have desired; however, I have been given the opportunity to serve the people of the 68th District and beyond in an even greater capacity than my current position allows,” said Baker. “I am honored to have been offered this opportunity and feel it is the right time in my career to make the transition.”

Baker has accepted the position of **Regional Director of the Office of Intergovernmental and External Affairs, Office of the Secretary of the Department of Health and Human Services (HHS)**. He will be one of 10 HHS regional directors across the country whose region includes Pennsylvania, Delaware, Maryland, Virginia, West Virginia and the District of Columbia. His many new responsibilities will include ensuring HHS maintains close contact with federal, state, local and tribal partners and addresses the needs of communities and individuals served through the numerous HHS programs and policies.

Rapp Selected to Chair House Health Committee

Rep. Kathy Rapp (R-Warren/Forest/McKean) announced February 26 that she has been appointed by Speaker of the House Mike Turzai (R-Allegheny) to serve as chairwoman of the House Health Committee. Rapp succeeds long-time chair Matt Baker, who resigned February 19 to join the **US Department of Health and Human Services (HHS)**.

The House Health Committee deals with issues such as abortion, disease management, health savings accounts, hospital-acquired infections, Medical Assistance, patient safety, pharmaceutical issues, telemedicine and much more. Before being elected to the PA House in November 2004, Rapp was heavily involved in the health and human services field, serving as a community relations representative with Beverly Health Care, where she managed admissions and marketing for two health care facilities in Warren. Prior to that, she gained experience in working with students with special needs. Rapp served as a compliance monitor within the Pennsylvania Department of Education to examine special education programs throughout the state and performed work as a consultant with the Parent Education Network.

House Veterans Affairs and Emergency Preparedness Committee Discusses PT Compact Bill

The committee held an information hearing on February 27 to hear the legislative initiatives of various organizations. Chairman **Stephen Barrar (R-Delaware)**, explained this is an annual event where they share information and update the committee.

A wide range of issues were discussed, mostly in the first responder areas. Of interest to APA, [Colleen Chancler](#), president, Pennsylvania Physical Therapists Association (PPTA) testified that [HB 1836](#) is of interest to the PPTA and its members in that licensure compact can improve consumer access to physical therapy services by reducing some of the regulatory and licensure barriers to interstate practice. She said if enacted, Pennsylvania would join the 15 jurisdictions that have enacted physical therapy licensure compact legislation. By allowing Pennsylvanians the opportunity to join the compact, it would become much easier to treat patients in neighboring state of New Jersey than the approximately six-month period currently needed to obtain a valid New Jersey physical therapist license. Chancler stated the physical therapy licensure compact is supported by the National Military Family Association as there is a section developed to support those serving in the military. She noted that the compact does not increase the scope of practice of the physical therapist or physical therapist assistant. Also if disciplinary action would be needed, the home state has the authority to implement action as does the state where the infraction occurred, Chancler said. She stated the compact will provide needed relief to licensure portability for those in the military and their significant others and potentially allow for greater access to physical therapy services in rural and under-served areas.

Chairman Barrar explained they were ready to move the bill but then had Professional Licensure look at it. The only thing stopping them from moving the bill now is budget season and waiting for Gov. Wolf's report coming out this summer, Chairman Barrar said.

Legislative Activity

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

Scope of Practice/Licensure Bills

[HB 1960](#) RE: State Agency Regulatory Compliance Officer Act (by Rep. Brian Ellis, et al)

Requires each state agency to designate an employee as the agency's regulatory compliance officer. Provides for the powers and duties of the regulatory compliance officer. Requires each agency to submit an annual report to the General Assembly detailing the progress made by each agency and the regulatory compliance officer in the preceding calendar year towards compliance with this act.

Reported as committed from House State Government Committee, read first time, and laid on the table, 2/6/2018

[SB 354](#) RE: [Strengthening Licensee Reporting Requirements and Suspensions](#) (by Sen. Tommy Tomlinson, et al)

Amends "An act empowering the General Counsel or his designee to issue subpoenas for certain licensing board activities; providing for hearing examiners in the Bureau of Professional and Occupational Affairs; providing additional powers to the Commissioner of Professional and Occupational Affairs; and further providing for civil penalties and license suspension," further providing for definitions; providing for reporting of sanctions and criminal proceedings and for suspension; and further providing for civil penalties. The bill requires all persons licensed, certified, or registered with the Bureau of Professional and Occupational Affairs to report any disciplinary conduct in another jurisdiction by a licensing board or an arrest, indictment or conviction. The legislation would provide penalties for failure to report within 30 days. The legislation also provides for license suspension and hearing process and procedure.

Re-reported on concurrence as committed from Senate Rules and Executive Nominations Committee, 2/5/2018

Senate concurred in House Amendments to Senate Amendments, 2/6/2018

Signed in the Senate and in the House, 2/6/2018

Approved by the Governor 2-15-18 G (Act No. [6](#) of 2018)

Budget-Related Bills

NONE

Child Abuse Reporting

NONE

Health Care Bills

NONE

Health Care Work Force Bills

NONE

Health Insurance Bills

[HB 2113](#) RE: Altering Health Insurance Coverage (by Rep. Donna Oberlander, et al)

Amends the Unfair Insurance Practices Act adding that unfair methods of competition and unfair or deceptive acts or practices includes altering the coverage provided by a health insurance policy, including, but not limited to, raising the premium, copayment, coinsurance or deductible or denying or otherwise failing to provide continued coverage for a health care benefit that was included in the insured's health insurance policy and when the insured has already received the health care benefit.

Introduced and referred to House Consumer Affairs Committee, 2/26/2018

[SB 1014](#) RE: Pennsylvania Health Care Plan Act (by Sen. Arthur Haywood, et al)

Provides for single-payer health care. Establishes the Pennsylvania Health Care Board as an independent administrative board and provides for its membership and its duties. Provides for the establishment of the Pennsylvania Health Care Plan. Also establishes the Pennsylvania Health Care Agency to administer the plan and serve as the sole agency authorized to accept Federal and State grants-in-aid. Provides for the Office of Health Care Ombudsman and the Pennsylvania Health Care Trust Fund. Imposes a ten percent payroll tax.

Introduced and referred to Senate Banking and Insurance Committee, 2/9/2018

Medical Assistance/DHS

NONE

Opioid Reduction

NONE

Partnerships/Liability

NONE

Sales Tax Expansion

NONE

WORKER'S COMP

[SB 936](#) RE: Workers' Comp (by Sen. Don White, et al)

Amends the Workers' Compensation Act, in liability and compensation, further providing for prescription drugs and the treatment of work-related injuries; and, in procedure, further providing for peer review. The bill requires the department to select a nationally recognized, evidence-based prescription drug formulary appropriate for resolving issues related to drugs prescribed for or related to the treatment of work-related injuries and establishes requirements related to the formulary for comment periods, selection factors, costs, annual review, online availability, savings calculations, and utilization review. The bill also places requirements on utilization review organizations and peer review organizations for certification.

Read second time, and rereferred to House Appropriations Committee, 2/5/2018
Reported as committed from House Appropriations Committee, read third time, and defeated on final passage, 2/6/2018 (98-98)

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/>

WEDNESDAY - 3/7/18

Senate Appropriations Committee -CANCELLED

10:00 a.m., Hearing Room 1, North Office Building

Budget Hearing - Departments of Health & Human Services and DOH)

WEDNESDAY - 3/14/18

House Professional Licensure Committee

9:30 a.m., Room G-50, Irvis Office Building

To consider: [HB 1343](#) (Readshaw) - Amends Act entitled "An act empowering the General Counsel or his designee to issue subpoenas for certain licensing board activities;" further providing for civil penalties; and

[SB 892](#) (Resenthaler) - Amends the Chiropractic Practice Act, in licensure and regulation, further providing for license required.

MONDAY - 3/19/18

Senate Health and Human Services Committee

10:30 a.m., Room 8E-B, East Wing

Public hearing to consider the nominations and confirmations of: Department of Human Services Acting Secretary Teresa Miller; Department of Drug & Alcohol Programs Acting Secretary Jennifer Smith; and Department of Health Acting Secretary Rachel Levine

2018 SENATE SPRING SESSION SCHEDULE

March	19, 20, 21, 26, 27, 28
April	16, 17, 18, 23, 24, 25, 30
May	1, 2, 21, 22, 23
June	4, 5, 6, 11, 12, 13, 18, 19, 20, 25, 26, 27, 28, 29

2018 HOUSE SPRING SESSION SCHEDULE

March	12, 13, 14
April	9, 10, 11, 16, 17, 18, 30
May	1, 2, 22, 23
June	4, 5, 6, 11, 12, 13, 18, 19, 20, 21, 25, 26, 27, 28, 29, 30

State Board of Chiropractic Board Meeting Schedule

2018 Meeting Dates (Subject to Change)

March 22, May 17, July 19, September 20, November 8

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

Remaining 2018 Meeting Dates: March 22, April 26, May 24, June 28, July 26, September 27, October 25, December 13

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>