

Chiropractic Fellowship of PA
Summary of Legislation
December 2017

Department of Health Announces Amendments to Charges for Medical Records

The Secretary of Health, under 42 Pa.C.S. §§ 6152 and 6152.1, is directed to adjust annually the amounts which may be charged by the health care provider or facility. Effective January 1, 2018, the following fees may be charged by a health care facility or health care provider in response to a request for production of medical charts or records:

- Amount charged per page for pages 1 to 20 not to exceed \$1.51
- Amount charged per page for pages 21 to 60 not to exceed \$1.12
- Amount charged per page for pages 61 to end not to exceed \$0.38
- Amount charged per page for microfilm copies not to exceed \$2.23
- Flat fee for production of records to support any claim under Social Security or any Federal or State financial needs based program not to exceed \$28.48
- Flat fee for supplying records requested by a district attorney not to exceed \$22.48
- Search and retrieval of records not to exceed \$22.48

Questions or inquiries concerning this notice should be sent to the Department of Health, Office of Legal Counsel, Room 825, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 783-2500.

Wolf Administration to Introduce Safe Opioid Prescribing Guidelines for Pediatric and Adolescent Populations

The Wolf Administration's Acting Secretary of Health and Physician General Dr. Rachel Levine, has announced it will take the next step in the fight to combat the opioid epidemic in Pennsylvania by introducing the [safe opioid prescribing guidelines for pediatric and adolescent populations](#).

"We don't often think of children and adolescents as being directly affected by this disease of addiction, but they can be more vulnerable than adults," Governor Tom Wolf said. "The opioid crisis does not discriminate based on age or any other factors. My administration is committed to helping all Pennsylvanians impacted by opioid-use disorder overcome their disease, and to preventing the disease in our next generation."

The opioid prescribing guidelines for pediatric and adolescent populations is the latest of [10 different guidelines](#) written by the Safe and Effective Prescribing Practices Task Force. This task force, convened by the departments of Health and Drug and Alcohol Programs, includes members from other state agencies, representatives from medical associations, provider advocates and community members.

"These guidelines provide pediatricians and family doctors with tools to determine the best form of treatment and work to prevent children from becoming addicted to opioids," Acting Health Secretary and Physician General Dr. Rachel Levine said. "It is essential that as medical professionals we prescribe these medications carefully so that children and adolescents do not develop opioid-use disorders."

Other speakers at the event include CHOP Chief Operating Officer, Doug Hock; Dr. Francis Cramer, a pediatrician; and Dr. Carol Ford, one of the task force members.

Governor Wolf holds the fight against heroin and prescription opioids abuse as a top priority. To continue the battle against the opioid epidemic in Pennsylvania, Governor Wolf included the following proposals in his 2017-18 budget:

Expanding access to life-saving naloxone by providing \$5 million through the Pennsylvania Commission on Crime and Delinquency to first responders, law enforcement, and other public entities across the commonwealth;
Maximizing federal 21st Century Cures Act funding, which includes \$26.2 million in each of the next two years for Pennsylvania, to expand access to treatment services, particularly for individuals who are uninsured or underinsured;
and

Providing \$3.4 million to expand specialty drug courts to expand treatment strategies that divert offenders into more meaningful treatment and recovery.

Some of the administration's other initiatives to fight the opioid epidemic include:

Working with the legislature to establish a new law limiting the number of opioids that can be prescribed to a minor and to individuals discharged from emergency rooms to seven days;

Strengthening the [Prescription Drug Monitoring Program](#) (PDMP) through the legislative process so that doctors are required and able to check the system each time they prescribe opioids and benzodiazepines. To date, there have been more than 12 million patient searches made on the system;

Creating the [warm handoff guideline](#) to facilitate referrals from the emergency department to substance abuse treatment;

Teaming with the legislature to establish education curriculum on safe prescribing for medical schools;

Educating and encouraging patients to properly use, store and dispose of unused prescription medications through drug take-back initiatives, and expanding the number of drug take-back locations to more than 700;

Awarding [four \\$1 million grants for medication-assisted](#) treatment using a hub and spoke model for Pennsylvanians who are uninsured, under-insured or have private insurance. And

Establishing a 24-hour helpline at 1-800-662-HELP for individuals suffering from addiction and their families and friends. The helpline has received more than 18,000 calls since introduced by the Wolf Administration one year ago, and is providing personal help to individuals.

State Board of Medicine December 19 Meeting Highlights

The State Board of Medicine met on **December 19 in Harrisburg**. Here are the highlights.

- **Board Chair Marilyn Heine, MD, welcomed the members and guests.**
- **Board Prosecutors** presented numerous disciplinary, VRP and reinstatement cases for consideration in Executive Session.
- **BPOA Deputy Commissioner Kathy Waters** reported on the progress of the Committee created by the Executive Order from the Governor's office, which requires the BPOA to look at all licensing requirements including CE, and other issues that impact licenses. The Bureau has formed an advisory group comprised of the Majority and Minority chairs of the legislative licensure committee, and members of various licensing boards, including nursing, PT, Barbers, Vehicle Dealers, and others, along with Commissioner Harlow and others from the Administration and the AG's office, who will be charged with making suggestions for updates to laws and regs. The report is to be issued in July of 2018.
- The Board heard a presentation on Guidelines for Ketamine use. **The Department of Health has received numerous requests for uses outside of anesthesia, for pain management. Acting Secretary of Health Rachel Levine, MD, introduced a Dr. Viscucci ((sp?) from Jefferson Hospital and Arlene Seed. They reported that there are human uses for ketamine, but there are also many negative side effects. They believe it is worth the risk, "in the proper hands". They noted the rise of so called "ketamine clinics" around the country, including PA.**
- The Board held election of officers for 2018. Bruce Brod, MD, was elected Chair, and Public Member Keith Loiselle was elected Vice Chair. Their terms begin at the conclusion of the December meeting.
- **At the conclusion of the Board meeting, there was a joint meeting of the Committee on Legislation and Continuous Professional Development, to resume discussion of the Naturopaths regulations. There may be another Committee meeting the day prior to the February 6 meeting.**

2018 meeting dates (subject to change): February 6, March 20, April 17, May 15, June 19, July 24, September 5, October 23 and December 11.

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 1737](#) RE: Chiropractic Interns and Students (by Rep. Adam Ravenstahl, et al)

Amends the Chiropractic Practice Act, in licensure and regulation, further providing for license required. The bill establishes that this section does not apply to a student enrolled in a chiropractic education program who is conducting chiropractic activities under the supervision of: instructors or supervisors who meet the licensing criteria of the Department of Education or the board; and enrolled in a program approved by the board at a regionally accredited college or university or Pennsylvania private licensed school or its equivalent as determined by the board.

Removed from the table, laid on the table, 12/4/2017

[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 amended from Senate Rules and Executive Nominations Committee, 12/11/17
Senate concurred in House amendments, as further amended, 12/12/2017

Received as amended in House and rereferred to House Rules Committee, 12/12/2017

[SB 892](#) RE: Chiropractic Interns and Students (by Sen. Guy Reschenthaler, et al)
Amends the Chiropractic Practice Act, in licensure and regulation, further providing for license required. The bill establishes that this section does not apply to a student enrolled in a chiropractic education program who is conducting chiropractic activities incidental to the student's course of study and under the direct, immediate and personal supervision of a chiropractor licensed by board and enrolled in a program at a chiropractic college approved by the board.

Reported as committed from Senate Appropriations Committee, 12/12/2017

Read third time, and passed Senate, 12/13/2017 (49-0)

Received in the House and referred to House Professional Licensure Committee, 12/19/2017

Budget-Related Bills

NONE

Child Abuse Reporting

NONE

Health Care Bills

[HB 1884](#) RE: Patient Test Result Information Act (by Rep. Marguerite Quinn, et al)
Provides for summaries or copies of patient test results to be sent directly to a patient or the patient's designee when there is a finding of a significant abnormality; and provides for duties of the Department of Health.

Reported as committed from House Health Committee, read first time, and laid on the table, 12/11/2017

Health Care Work Force Bills

NONE

Health Insurance Bills

[HB 1388](#) RE: CHIP Extension, Benefits (by Rep. Rich Irvin, et al)
Amends the Insurance Company Law, in comprehensive health care for uninsured children, further providing for children's health care and for expiration by adding if federal law authorizes funding for the program for a period that extends beyond December 31, 2019, this article shall expire under subsection (a) (2). Further provides the benefit package for eligible children may not include reimbursement for gender or sex reassignment surgery. Effective immediately.

Received as amended in Senate and rereferred Senate Rules and Executive Nominations Committee, re-reported on concurrence as committed from Senate Rules and Executive Nominations Committee, and Senate concurred in House amendments to Senate amendments, 12/11/2017

Signed in the House and Senate, 12/12/2017

Approved by the Governor, 12/15/2017 (Act No. 58 of 2017)

[HB 1553](#) RE: Surprise Balance Bill Protection Act (by Rep. Matt Baker, et al)

Provides for the protection of consumers of health care coverage against surprise balance bills for emergency health care services or for other covered health care services when health care services are sought from in-network providers.

Reported as amended from House Health Committee, read first time, and laid on the table, 12/11/2017

[HR 622](#) RE: CHIP Anniversary (by Rep. Anthony DeLuca, et al)

A Resolution recognizing the 25th anniversary of the Children's Health Insurance Program and the important physical and behavioral health benefits the program provides to children of this Commonwealth.

Introduced as noncontroversial resolution, and adopted, 12/5/2017 (189-0)

[SB 926](#) RE: Medical Service Agreement Act (by Sen. Patrick Browne, et al)

Provides for direct primary care, medical service agreements and insurance. A physician providing direct primary care based on a medical service agreement shall not be considered an insurer or health maintenance organization under Commonwealth law and the physician shall be not subject to regulation by the Insurance Department for direct primary care. A medical service agreement shall not be considered health or accident insurance or coverage and shall not be subject to regulation by the department. A physician shall not be required to obtain a certificate of authority to market, sell or offer a medical service agreement or provide direct primary care. Also provides for medical service agreement requirements and use of other health care practitioners.

Public hearing held in Senate Banking and Insurance Committee, 12/12/2017

Medical Assistance/DHS

NONE

Opioid Reduction

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/>

WEDNESDAY - 1/10/18

House Democratic Policy Committee

2:00 p.m., Good Shepherd Rehabilitation Health Network, Main Level, Conference Room, 850 South Fifth Street, Allentown

Public hearing with Rep. Pete Schweyer on health care access

2018 SENATE SESSION SCHEDULE

January 2, 22, 23, 24, 29, 30, 31

February 5, 6, 7

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 SESSION SCHEDULE

January 2 (non-voting), 22, 23, 24
February 5, 6, 7
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)

January 18, 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

2018 Meeting Dates:

January 25, February 22, March 22, April 26, May 24, June 28, July 26, August: No Meeting, September 27, October 25, November: No Meeting, 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>