

Chiropractic Fellowship of PA Summary of Legislation January 2019

Alloway, White Announce Early Retirements

Two long-serving Republican state Senators announced that they would not finish their current terms, and would leave office at the end of February. Sen. Rich Alloway (R- Chambersburg) and Don White (R-Indiana) both made relatively surprise announcements just weeks after the start of the new legislative session. Alloway announced he would be reopening his law firm, and speculation followed that he would also resume lobbying in Harrisburg, a career he pursued prior to his service as an elected official. White, in a heartfelt speech on the Senate floor, said he would be returning to his home in Indiana, while giving little indication of his future plans. Both also indicated that the timing of their announcements was designed to allow Lt. Gov. John Fetterman to call special elections to fill the vacancies to coincide with the May primary elections. Those specials had not been called at presstime for this report.

Special Election Candidates Chosen to Succeed Sid Kavulich

The race in Northeast Pennsylvania to fill the vacancy left by the passing of long-time Democrat Rep. Sid Michaels Kavulich, who died in October at the age of 62 from complications of open heart surgery, is now set. Last month, [Bridget Malloy Kosierowski](#) easily won the Democrat nomination over three others. At the same time, the Republican committee chose [Frank Scavo](#) for their party's nomination. Scavo has run for public office multiple times in, most recently this past November, losing to incumbent state Sen. John Blake. The race is taking place on March 12, along with another in the 190th House District, to replace Rep Vanessa Lowery Brown, who resigned after being convicted in a bribery case. The 114th House District special election is to fill the seat of the late Democratic [Rep. Sid Michaels Kavulich](#).

Medical Assistance Advisory Committee January 24 Meeting Notes

The **Medical Assistance Advisory Committee (MAAC)** held its regular monthly meeting on January 24. **Chairman Russ McDaid, Pennsylvania Health Care Association**, noted that, due to a lack of quorum, no votes would be taken. The following items of interest were discussed.

UPDATE ON SUBCOMMITTEE STRUCTURE

Chairman McDaid reviewed recommendations distributed to members regarding the subcommittee structure, which had been discussed at the past few MAAC meetings, to achieve a more ideal structure. He said the executive group looking at the issue decided not to make broad changes during CHC implementation, but their examination revealed gaps in who has a “seat at the table” in some of the subcommittees. He said the intent is for everyone to have a seat and recommended all currently-contracted CHC MCOs should be on the Long-Term Services and Supports Subcommittee and all currently-contracted HC MCOs should be on the Managed Care Delivery System Subcommittee. He clarified the **emphasis is just physical health, not behavioral health**. Looking ahead, he indicated, behavioral health may be added to the discussion.

Glinka clarified that all physical health MCOs have a seat on the Managed Care Delivery System Subcommittee as well as other organizations and consumers. He was happy to expand upon it, though.

A member of the audience asked if adding all the MCOs would shift the balance of overall representation on the subcommittee. Chairman McDaid confirmed “we’d have to” look at that balance. He indicated a follow-up conversation will clarify the behavioral health questions.

Gleeson asked if conversations looked at including not-contracted MCOs. McDaid said they did not discuss that beyond a brief mention that some non-contracted MCOs do currently have seats. Glinka remarked on the “robust choice” in Pennsylvania of **Dual-Eligible Special Needs Plans (D-SNPs)** and perhaps those should also be part of the discussion.

Chairman McDaid noted the role of D-SNPs outside MAAC's purview. The chairman's other recommendation was that the Fee-For-Service Subcommittee has struggled to find agenda items and thus should be dissolved, provided that the few key issues that remained in the subcommittee's purview were incorporated into the remaining structure. He indicated there are a variety of options to do this, whether it be a new subcommittee or incorporating into existing subcommittees. He remarked on the challenges of bringing together a number of systems and ensuring appropriate groups all have input without being duplicative.

Glinka offered some ideas for changes, and Chairman McDaid asked Glinka to give the suggestions to him for the executive group to discuss.

Due to the lack of a quorum neither recommendation could be voted upon.

Subcommittee Reports

The **Fee-For-Service Delivery System Subcommittee** did not meet, and is scheduled to next meet 10 a.m. on **February 13, 2019**, at the Commonwealth Tower, Harrisburg.

The **Long-Term Services and Supports Subcommittee** is scheduled to next meet 10 a.m. on **February 12, 2019**, at the Rachel Carson State Office Building, Harrisburg.

Managed Care Delivery System Subcommittee

Chairman Glinka noted that currently the Medicaid expansion provides **690,101** residents with insurance, and that coverage has been slightly declining, which he attributed to the strong economy. He added that the commonwealth's uninsured rate is less than five percent, which is considered practically fully-insured.

The subcommittee received an update on OMAP solicitation, Glinka stated. About the RFI for resource coordination networks regarding the social determinants of health pool, Glinka indicated the department is looking for a solution to serve as a centralized tool to assess needs and to help individuals navigate community-based organizations. The long-term goal would be to measure the impact of those connections on the quality of life and health care costs, he added.

The **Managed Care Delivery System Subcommittee** is scheduled to next meet **10 a.m. on February 14, 2019, at the Commonwealth Tower, Harrisburg.**

MAAC will next meet on February 21, which Chairman McDaid pointed out is a week earlier than usual. He also noted it will be before the budget secretary's presentations to the Appropriations committees, so the MAAC meeting will probably not include much information about the governor's budget.

Glinka asked if the department will have an update after the governor's budget address. Kozak indicated it is likely but did not have final details.

State Board of Chiropractic January 17 Meeting Highlights

The State Board of Chiropractic met on **January 17 in Harrisburg**. Here are the highlights.

- **Board Chair Gerald Halloran, DC, welcomed the members and guests.**
- **Lead Board Prosecutor Paul Jarveck** had one case to present, to be deliberated in Executive Session. **The Board also held a hearing on the case of John Vira, DC.**
- **BPOA Commissioner Ian Harlow** did not attend, and sent no report.
- **Board Chair Gerald Halloran, DC** reminded the Board members of some housekeeping issues.
- **Board Counsel Kerry Maloney** reported on the status of the **Assistants regulation**. An exposure draft had been sent to stakeholders, and comments will be reviewed at the next meeting. Since no substantive comments were received, he will proceed with the regulation. Maloney also reported that he will be moving to the Medical Board, to be replaced by **Ken Suter**, who is on leave, and wasn't able to attend. Maloney noted he would continue to monitor the delegation regulation, and the Bennett case. He referenced a Petition for amendment to regulations regarding animal Chiropractic, which was deferred to executive session. **Maloney also give an update on dry needling. He said there have been no recent meetings of the joint board committee, with the Medical and PT Boards, and he encouraged the Board to follow up with the new counsel. Discussion included possible requirement of 300 hours of CE, similar to MDs and DOs.**

- **Board** Administrator Liz Wecker reviewed the Child Abuse continuing education requirements.
- **Under New Business: 1.** Dr. Swank reported on his attendance at the American Veterinary Chiropractic Association meeting. The organization requires 400 hours for certification. Discussion followed on whether the Board should or needs to require referral from a veterinarian. Many states are struggling with this issue.

Next meeting is January 17, 2019. Future 2019 meeting dates: March 21, May 16, July 18, September 19, November 21. 2020 dates: January 16, March 19, May 14, July 18, September 17, November 19, 2020

Legislative Activity

The following bills and co-sponsorship memos for bills to be introduced of interest to CFoP were acted on by the General Assembly this past month.

Scope of Practice/Licensure Bills

[HB 39](#) RE: ID Badges (by Rep. Pam Snyder, et al)

Amends the Health Care Facilities Act by omitting health care workers' last names from facility identification badges.

Introduced and referred to House Health Committee, 1/28/2019

[HB 84](#) RE: Professional Licensees Illegal Employment Act (by Rep. Rob Kauffman, et al)

Prohibits certain licensees from knowingly employing illegal aliens; and imposing sanctions. "Licensee" is defined as an individual, corporation, partnership, limited liability company or other legal entity that holds a license issued by a licensing board or licensing commission.

Introduced and referred to House Professional Licensure Committee, 1/28/2019

[HB 138](#) RE: [Physical Therapy Examination](#) (by Rep. Chris Quinn, et al)

Amends the Physical Therapy Practice Act further providing for qualifications for license and examinations for physical therapists and physical therapist assistants. The bill establishes that an applicant who is 90 days from completing the professional study of physical therapy may sit for the examination if the applicant verifies with the board that the applicant is 90 days from graduating from an accredited program as determined by the board.

Introduced and referred to House Professional Licensure Committee, 1/28/2019

[HB 194](#) RE: [Criminal Background for Licensees](#) (by Rep. Harry Readshaw, 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, providing for qualifications for licensure. The bill establishes that a licensing board or licensing commission may issue a license to an applicant who has been convicted of a felonious act under the Controlled Substance, Drug, Device and Cosmetic Act; or convicted of a felony relating to a controlled substance in a court of law of the United States or any other state, territory or country if at least five years have elapsed from the date of conviction, or the applicant satisfactorily demonstrates to the licensing board or licensing commission that the applicant has made significant progress in personal rehabilitation since the conviction.

Introduced and referred to House Professional Licensure Committee, 1/28/2019

Budget-Related Bills

NONE

Child Abuse Reporting

NONE

Health Care Bills

[HB 48](#) RE: Immunization Requirements (by Rep. Russ Diamond, et al)

Amends the Public School Code, in pupils and attendance, further providing for immunization required and penalty. The bill requires a public school entity, nonpublic school, political subdivision or the Commonwealth to include with any provision of information containing information relating to immunization requirements issued by the Commonwealth the following information in the same size and font as the publication, posting or provision: (1) The exemptions from immunization requirements; (2) That the public school entity, nonpublic school, political subdivision or the Commonwealth accepts the exemptions from immunization requirements; and (3) The process by which a child may obtain an exemption from immunization requirements.

Introduced and referred to House Education Committee, 1/28/2019

Health Care Work Force Bills

[HB 39](#) RE: ID Badges (by Rep. Pam Snyder, et al)

Amends the Health Care Facilities Act by omitting health care workers' last names from facility identification badges.

Introduced and referred to House Health Committee, 1/28/2019

Co-sponsorship memos filed

[HCO 639](#) (DeLuca) - Renders non-compete clauses in health care employment contracts void and unenforceable.
Filed, 1/10/2019

[SCO 502](#) (Hughes) - Creates the Health-Related Industries Educational Scholarship Program.
Filed, 1/22/2019

Health Insurance Bills

[HB 195](#) RE: Medication Synchronization (by Rep. Eric Nelson, et al)

Amends Title 40 (Insurance), in regulation of insurers and related persons generally, adding a chapter providing for medication synchronization. "Medication synchronization" is defined as the coordination of prescription drug filling or refilling by a pharmacy or dispensing physician for a health insurance enrollee taking two or more maintenance medications for the purpose of improving medication adherence.

Introduced and referred to House Insurance Committee, 1/28/2019

Reported as committed from House Insurance Committee, read first time, laid on the table, and removed from the table, 1/29/2019

Read second time, and rereferred to House Appropriations Committee, 1/30/2019

Co-sponsorship memos filed

[HCO 742](#) (DeLuca) - Prohibits health care provider self-referrals
Filed, 1/15/2019

[HCO 842](#) (DeLuca) - Provides that health practitioners remain in network if they are qualified and willing to accept the terms and conditions of the contract.

Filed, 1/23/2019

[HCO 848](#) (Readshaw) - Establishes guidelines for the delivery of telemedicine in Pennsylvania.
Filed, 1/23/2019

Medical Assistance/DHS

Cosponsor Memo Filed

[SCO 451](#) (Martin) - Improves patient health and reduces the per capita cost of health care for Medical Assistance enrollees.

Filed, 1/14/2019

Opioid Reduction

[SB 112](#) RE: Prescribing Opioids to Minors (By Sen. Gene Yaw, et al)

Amends Title 35 (Health and Safety), in prescribing opioids to minors, providing for prescribing opioids to individuals and further providing for definitions, for prohibition and for procedure; and making editorial changes. The bill defines minor as an individual less than 18 years of age and excludes a minor who is married or has been married, pregnant or has been pregnant, a member of the armed forces of the United States, or legally emancipated. The bill changes the name of the chapter from prescribing opioids to minors to prescribing opioids to individuals.

Introduced and referred to Senate Consumer Protection & Prof. Licensure Committee, 1/23/2019

Partnerships/Liability

[SR 20](#) RE: Venue (by Sen. Lisa Baker, et al)

Resolution directing the Legislative Budget and Finance Committee to conduct a study of the impact of venue for medical professional liability actions on access to medical care and maintenance of health care systems in this Commonwealth and requesting that the Pennsylvania Supreme Court delay action on the proposed amendment to Pa.R.C.P. No. 1006.

Introduced and referred to Senate Judiciary Committee, 2/1/2019

Reported as committed from Senate Judiciary, 2/4/2019

Adopted, 2/5/2019 (31-18)

Transmitted as directed, 2/7/2019

Sales Tax Expansion

NONE

Worker's Comp

NONE

Copies of bills described above can be obtained on-line at:

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

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 - 2/27/19

Senate Appropriations Committee

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

Budget Hearing - Dept. of Health

Senate Appropriations Committee

1:00 p.m., Hearing Room 1, North Office Building

Budget Hearing - Dept. of Human Services

3:00 p.m., Hearing Room 1, North Office Building

Budget Hearing - Dept. of Human Services continued

THURSDAY - 2/28/19

House Appropriations Committee

10:00 a.m., Room 140, Main Capitol

Budget Hearing - Department of Human Services

2019 SENATE SESSION SCHEDULE

February 4, 5, 6
March 18, 19, 20, 25, 26, 27
April 8, 9, 10, 29, 30
May 1, 6, 7, 8
June 3, 4, 5, 10, 11, 12, 17, 18, 19, 24, 25, 26, 27, 28

2019 HOUSE SESSION SCHEDULE

February 4, 5, 6, 19, 20, 21
March 11, 12, 13, 18, 19, 20, 25, 26, 27
April 8, 9, 10, 15, 16, 17, 29, 30
May 1, 6, 7, 8, 13, 14, 15, 22
June 3, 4, 5, 10, 11, 12, 17, 18, 19, 20, 24, 25, 26, 27, 28

State Board of Chiropractic Board Meeting Schedule

Remaining 2019 dates: March 21, May 16, July 18, September 19, November 21

2020 dates: January 16, March 19, May 14, July 18, September 17, November 19, 2020

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

2019 meeting dates: February 21, March 28, April 25, May 23, June 27, July 25, No August meeting,

September 26, October 24, No November meeting, December 12

For more information check the DHS MAAC website:

<http://www.dhs.pa.gov/communitypartners/informationforadvocatesandstakeholders/medicalassistanceadvisorycommitteemaac/>