



Indiana Rural Health Association Public Policy Forum

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2020 Indiana General Assembly

- The 2020 session is a short, non-budget session.
- 2020 is an election year. The Governor and legislators will be on the ballot.
 - 100% of House members, 50% of Senate members
- Key Dates
 - Tuesday, February 4, 2020 → Last day of first half of session (bills switch houses after this point).
 - March 14, 2020 → Latest day for General Assembly to adjourn sine die; anticipated sine die by March 10th.

Indiana General Assembly Retirements and Departures

- On November 19, 2019, House Speaker Brian Bosma announced he will step down as Speaker and not run for re-election.
- On December 2, 2019, the House Republican caucus elected Rep. Todd Huston (R-Fishers) as Speaker-elect.
- Rep. Woody Burton (R-Greenwood), Rep. David Wolkins (R-Warsaw), and Rep. Ron Bacon (R-Chandler) announced that they will retire following the 2020 legislative session.

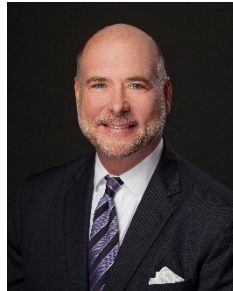
New Legislators

- Senator Stacey Donato (R), District 18
 - Cass, Fulton, Miami and portions of Carroll, Kosciusko and Marshall counties
- Representative Dollyne Sherman (R), District 93
 - Perry Township in Marion County and a portion of White River Township in Johnson County along with a section of Indianapolis
- Representative Ann Vermilion (R), District 31
 - Blackford County and portions of Delaware, Grant and Wells counties

Legislative Leadership

Indiana House of Representatives

67 Republicans
House Speaker,
Brian Bosma (R)
Indianapolis



House Speaker-Elect,
Todd Huston (R)
Fishers



33 Democrats
House Minority
Leader,
Phil GiaQuinta (D)
Fort Wayne



Indiana State Senate

40 Republicans
President Pro
Tempore,
Rodrick Bray (R)
Martinsville



10 Democrats
Senate Minority
Leader,
Tim Lanane (D)
Anderson



2020 Legislative Preview

- Health Care
 - Cost of Health Care
 - Smoking/Vaping Age & Penalties
- Education
 - Hold Harmless
 - Teacher Training Requirements
- Fiscal Matters
 - Use of Surplus Funds

Governor Holcomb's 2020 NextLevel Agenda

- Public Health
 - SB 1 – Tobacco and Vaping Smoking Age (Charbonneau)
 - Raises minimum smoking and vaping age to 21 and enhances enforcement penalties.
 - SB 3 – Health Care Provider Billing (Charbonneau)
 - Prohibits billing patients at out of network rates for services received at an in network facility.
 - SB 4 – All Payer Claims Data Base (Charbonneau)
 - Establishes an all payer claims data base to improve information about hospital pricing and insurance reimbursement.
 - SB 246 – Mental Health Services (Crider)
 - Requires school corporations to have a relationship with a mental health provider to be eligible for secured school safety grant dollars.
 - HB 1209 – Reimbursement for Emergency Medical Services (Kirchhofer)
 - Requires insurance providers to reimburse for in-home EMS services to incentivize more community paramedicine programs.
 - HB 1294/SB 342 – Pregnancy and Childbirth Discrimination (Engleman/Alting)
 - Requires workplace accommodations for pregnant employees.

Governor Holcomb's 2020 NextLevel Agenda

- Education & Workforce
 - SB 319 – Practitioner or Accomplished Practitioner License (Rogers)
 - Makes career-related teacher professional growth points optional.
 - HB 1001/SB 2 – School Accountability (DeVon/Raatz)
 - Holds schools harmless for 2018-19 and 2019-20 ILEARN scores.
 - HB 1120 – Educational Credit Time (Steuerwald)
 - Restructures DOC educational credit time system to better prepare offenders to re-enter society.

Governor Holcomb's 2020 NextLevel Agenda

- Roads
 - HB 1070 – Distracted Driving (Sullivan)
 - Requires drivers to use only a hands-free device while driving.
- Good Government
 - HB 1007 – Fiscal Matters (T. Brown)
 - Authorizes payment from \$300 million in reserves for capital projects previously approved for bonding.
 - SB 267 – Administration of 211 services (Bohacek)
 - Transfers Indiana 211 from the Indiana Housing and Community Development Authority to Family & Social Services Administration call centers.

House Republican Legislative Priorities

- Education – Accountability & Training Requirements
 - HB 1001 – School Accountability (DeVon)
 - HB 1002 – Teacher Evaluation (Cook)
 - HB 1003 – Education Matters (Jordan)
- Health Care Costs/Reducing Youth Smoking
 - HB 1004 – Out of Network Billing for Health Care Services (Smaltz)
 - HB 1005 – Health and Insurance Matters (Schaibley)
 - HB 1006 – Regulation of Tobacco Products (Kirchhofer)
- Cutting Red Tape/Fiscal Responsibility
 - HB 1007 – Fiscal Matters (T. Brown)
 - HB 1008 – Occupational Licensure Reciprocity (Carbaugh)
 - HB 1009 – Various Welfare Matters (Goodrich)

Senate Republican Legislative Priorities

- **Address health care costs and transparency**
 - SB 3 – Health care provider billing (Charbonneau)
 - SB 4 – All payer claims data base (Charbonneau)
 - SB 5 – Health care provider contracts and pricing (Charbonneau)
- **Hold K-12 schools harmless for 2019 ILEARN test results**
 - SB 2 – School accountability (Raatz)
- **Reduce government debt**
 - Support cash funding capital projects that were approved for debt financing to save money in future interest payments.
- **Raise smoking and vaping age to 21**
 - SB 1 – Tobacco and vaping smoking age (Charbonneau)

House Democrat Legislative Priorities

- Public Education
 - Fixing standardized testing system.
 - Pay raise for teachers.
 - Investing more state dollars in traditional public schools.
 - Holding non-traditional public schools to same accountability/transparency standards as traditional public schools.
- Health Care
 - Lowering prescription drug prices.
 - Expanding access to the Health Indiana Plan.
 - Investing in paid family medical leave.
- Student Safety
 - Funding more trained school protection officers.
 - Creating access to mental health services for more students in public schools.
 - Ensuring the Common School Fund School Safety Loan Program dollars are available to all school districts across Indiana – including rural and urban schools.
 - Enacting responsible firearm storage requirements.
- Working Families
 - Expanding access and fully-funding statewide pre-K programs for all 4-year-olds.
 - Passing a child and dependent care tax credit.
 - And implementing a paid family leave program.

Senate Democrat Legislative Priorities

- Decriminalize possession of marijuana under one ounce.
- Requires safe storage of firearms.
- Close loopholes in background checks to purchase firearms.



HB 1004/ SB 3 Health Provider Billing

- Both of these bills deal with “surprise billing” from health care providers.
- Meant to address situations where patients are billed from an out-of-network provider for a service that was performed at an in-network facility.
- Bills prohibit the patient from being billed above the standard in-network cost, unless the covered individual:
 - 1) receives notice that the facility plans to charge more than allowed under their network plan;
 - 2) provides a good-faith estimate of the cost; and
 - 3) the patient signs the notice, signifying their consent to the higher charges.

HB 1005 Health and Insurance Disclosures

- Provides that a facility is an off-campus location of a hospital if:
 - 1) the hospital directly or indirectly owns, controls, or is affiliated with the hospital;
 - 2) the services performed at the facility are integrated with the services of the hospital; and
 - 3) the facility provides preventative or emergency services.
- Requires hospitals, outpatient centers, and urgent care facilities and practitioners to provide good faith estimates of the price of non-emergency health care services within three days of a patient request.
- Requires health carriers to provide a good faith estimate of how much of the cost they will reimburse or pay for.
- Requires health carriers to inform patients whether the provider facility is in-network.
- Requires providers post signs in waiting rooms and on internet websites about the availability of estimates to patients.
- Provides penalties for non-compliance.

SB 4 All Payer Claims Data Base

- Would establish an all payer claims database to be created by the Department of Insurance.
- Would collect data from health providers across the state in order to get accurate estimates of costs of care.
- Would increase pricing transparency and consistency among health service providers.



SB 5 Health Provider Contracts

- Prohibits health provider contracts from including provisions that prevent price disclosure and transparency.
- States that a violation by the contract issuer is an unfair and deceptive act in the business of insurance.

HB 1006/ SB 1 Tobacco and Vaping

- SB 1 Raises the tobacco and vaping smoking age from 18 to 21, and prohibits the purchase and possession of tobacco, e-liquids, or electronic cigarettes.
- Makes changes to enforcement of this law, including tripling the civil judgement penalty for violations by retailers or vendors.
- HB 1006 also raises the smoking and vaping age, defines “tobacco products”, and lays out certification and age-verification for retailers.
- Provides for penalties for retailers who fail to abide by the restrictions.



HB 1207/ SB 21 Pharmacy and Prescription Matters

- SB 21 obligates a pharmacist to honor all prescriptions issued by either an advanced practice registered nurse or a physician assistant licensed under the laws of another state.
- HB 1207 prohibits health plan providers from collecting higher co-payments from a covered individual than pharmacists are allowed to retain as profit.
- Loosens restrictions on the sale of auto-injectable epinephrine (Epipen).

HB 1115 Physician Non-compete Agreements

- Requires physician non-compete provisions to have the following provisions:
 - Employer must provide physician with a copy of any notice concerning their termination, and a copy of any notices sent to their patients after termination.
 - Employer must provide current contact and location information of a terminated physician to their patients.
 - An option to purchase a final release from the non-compete for a reasonable price.
 - Employer must allow a physician to continue treating a patient during the course of an illness.
 - Prohibits employers from sending a terminated physician medical records that are a different format than the industry standard.



HB 1317 Health Care Advance Directives

- Allows for individuals to provide a health care advance directive giving instructions on health care treatment if they cannot make decisions due to incapacity or illness.
- Appointments of representatives or attorneys-in-fact to consent to health care are legally valid if they are executed before January 1, 2023.

HB 1336 Telemedicine

- Specifies what activities are considered “telemedicine”, or the use of telecommunication and information technology to provide health care from a distance.
- Requires that any records created under telemedicine must be maintained to the same standard as in-person patients.

HB 1392 Death Records

- Allows advanced practice registered nurses to pronounce the time of death for a deceased individual, and then sign a record of death into the Indiana death registration system.
- Allows a physician assistant to pronounce the time of death for a deceased individual, and then sign a record of death into the Indiana death registration system, so long as they are performing under a collaborative agreement that allows them to do so.

SB 142 Medicaid Reimbursement for Schools

- Allows school corporations to seek Medicaid reimbursement for school-based services that are medically necessary and covered under Medicaid by state and federal mandates.
- Allows school psychologists to make referrals to physical therapists for mandated school services.

SB 299 Fetal Remains

- The Department of Health must include on a form that, after a chemical abortion, a woman may place the fetus in a sealed container and return it to the health care provider or abortion clinic for internment or cremation.
- Limits disposal of aborted fetuses to burial or cremation.
- Requires that if there are multiple remains in a burial transit, the transit must be accompanied by a log containing certain information about each fetus.

SB 397 Tobacco, E-liquids, and CBD

- A person who knowingly or intentionally sells e-liquids or an electronic cigarette containing concentrated CBD commits a Class B infraction.
- Requires the alcohol and tobacco commission to issue licenses for the sale of low-THC hemp extract.
- Explains penalties for failure to maintain chain of custody or renew licenses.

2021 Budget Session Preparations

- In 2021, the Indiana General Assembly will pass the next biennial state budget.
- The budget process will begin in 2020.
 - State agencies submit budget requests to State Budget Agency for review.
 - State Budget Agency provides recommendations; Governor approves.
 - Budget Committee holds public hearings with agencies to review requests.
 - Revenue forecast in December 2020 will shape Budget Committee recommendations and initial version of the biennial budget bill.
- Start considering potential funding requests and needs now.

Questions?



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