

KENTUCKY MEDICAL ASSOCIATION State legislative update

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2022 Regular session recap

Kma successes

- Lung Health (HB219)
- Information Blocking (HB529)
- Healthcare Workforce Shortages (HB573)

2022 Regular session recap

Kma successes

- Lung Cancer Screening Program (HB219)
 - Establish the Lung Cancer Screening Program within the Department of Public Health and the Lung Cancer Screening Advisory Committee
 - Increase lung cancer screening, reduce the state's morbidity and mortality from lung cancer, reduce the cost of lung cancer treatment, and raise public awareness regarding the benefits of screening

2022 Regular session recap

Kma successes

- Information Blocking (HB529)
 - Under federal law, providers must deliver electronic health information to patients “without delay”
 - Legislation allows providers to temporarily delay the delivery of certain patient test/lab results for up to 72 hours if receipt of such results by the patient prior to provider counseling could cause harm – exception is allowed by federal law

2022 Regular session recap

Kma successes

- Healthcare Workforce Shortages (HB573)
 - Seeks to establish a state-based loan forgiveness program that would operate alongside the current federal loan forgiveness program (Kentucky State Loan Repayment Program) in hopes of retaining more healthcare providers in Kentucky and further expand the number of healthcare providers in rural under-served areas of the Commonwealth

2023 regular session (short session)

Nonhealthcare issues

- Recovery Funding for East/West Kentucky
- Affordable Childcare
- Affordable Housing
- Workforce Participation
- Workforce Shortages (e.g. teachers, nurses)
- Review of ARPA Spending

2023 regular session (short session)

healthcare issues

- Physician Wellness
- Graduate Medical Education Funding
- Medicaid Reimbursement
- All Payers Claims Database
- Scope of Practice
- **Prior Authorization**

Prior authorization

- Originally meant to be a check on the medical necessity of expensive and less common services and medications
- Insurers increasingly apply prior authorization to basic and routine patient care, which unnecessarily delays and sometimes denies Kentuckians access to much-needed services
- Has become a burden and a barrier to physicians providing patient care

Prior authorization

According to a 2020 American Medical Association (AMA) survey of 1,000 practicing physicians:

- More than 9 in 10 physicians (94%) reported care delays while waiting for health insurers to authorize necessary care
- Nearly 4 in 5 physicians (79%) said patients abandon treatment due to authorization struggles with health insurers
- Nearly one-third (30%) of physicians reported that prior authorization requirements have led to a serious adverse event for a patient

Prior authorization

Other critical physician concerns highlighted in the AMA survey include:

- 9 in 10 physicians (90%) reported that prior authorizations programs have a negative impact on patient clinical outcomes
- A significant majority of physicians (85%) said the burdens associated with prior authorization were high or extremely high
- 2 out of 5 physicians (40%) hire staff members who work exclusively on tasks associated with prior authorization

Prior authorization

kma advocacy

- 2019 Senate Bill 54
 - Enhances access to prior authorization information
 - Establishes one-year approvals for chronic disease medications
 - Standardizes review times
 - Increases access to electronic prior authorizations
 - Requires insurers to post prior authorization procedures on their website and maintain a complete list of services for which prior authorization is required

Prior authorization

kma advocacy

- 2022 House Bill 343
 - Remove barriers to patient care
 - Establish an automatic approval or exemption from prior authorization on a physician-to-physician basis, if that physician is approved for a specific procedure/service most of the time
- **2023 LEGISLATIVE PRIORITY**

Prior authorization

challenges

- Insurer Engagement
- Physicians' Engagement
- Legislators' Perspective
 - Potential Cost to State/Consumer
 - Fraud
 - Limited Impact/Federal Action Needed

KMA MEMBER SURVEY

- KMA Long Range Planning Commission input
- Engaged a national survey company to assist
- Will be emailed to KMA members in the fall of 2022
- Need the highest number of responses possible

KMA MEMBER SURVEY

- The survey will obtain information on four issues to assist with KMA advocacy projects and member products
- Advocacy Focus
 - Prior Authorization
 - Priority issue both in Kentucky and nationally

2022-2023 political landscape

State legislative races

- 100 House Races
- 19 Senate Races
- State House
 - At least 17 New Members
- State Senate
 - At least 6 New Members
- Abortion Ballot Question

2022-2023 political landscape

Gubernatorial race

- Governor Andy Beshear (Incumbent)
- Republican Party Primary (May 2023)
 - 5 Major Candidates
- Top Issues
 - Pandemic Response / Unemployment Insurance
 - Natural Disaster Response
 - Economic Development
 - National Issues (e.g. inflation, crime, etc.)

Questions

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