

OHSAM Legislative & Policy Update 2019

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Mental Health

- Ohio is one of 32 states currently failing to ensure citizens have equal access to mental health and addiction treatment services
- Federal law mandates insurers make such coverage equal to coverage for physical illnesses and conditions
- Proposed bill would enforce the parity rule in Ohio
- Governor DeWine Proposals
 - Access to In-Patient Psychiatric Care
 - Behavior Health Services
 - Early Intervention Services

Sentencing Reform

- State Issue 1 was soundly defeated in November 2018 BUT lawmakers agreed changes are needed
- Proposed legislation would support treatment and recovery over incarceration for some addicted people
- HB 1 to favor intervention in lieu of a drug conviction & remove cap on felonies that can be sealed
- SB 3 would create three tiers of drug trafficking and lower possession offenses

One-Bite Program

- Allows medical providers to get treatment for substance abuse issues confidentially, without their name divulged to the state medical board
- Program administered by Ohio Physicians Health Program (info@ophp.org or 614-841-9690)
- To qualify:
 - Be diagnosed with SUD and be impaired to practice
 - Be a 1st time participant in the program
 - Have no prior disciplinary action for SUD or impairment by any licensing board

Telemedicine / Telehealth

- The budget contains provisions which require insurance coverage of telemedicine services to be on par with services performed in-office
- This passage aligns Ohio with 35 other states in the U.S. which have already passed and enacted state laws guaranteeing telehealth parity
- Applies primarily to private insurance as state Medicaid had already allowed for Telemedicine services

New License Requirement

- **Continuing Medical Education (CME)**
- Physicians & podiatrists: Reduced hours of CME required from 100 every two years for license renewal to 50, but all must be category 1. Also applies to the 3-year renewal period of clinical research faculty physicians
- Also limits the number of hours of CME a physician or podiatrist may earn through provision of health care services as a volunteer to 3 hours

Price Transparency

- Governor vetoed provisions in the budget which would have placed duplicative and burdensome regulations on health care providers
- 2017 law has never taken effect
- SB 97 would repeal the 2017 law; would require “good faith” estimate if requested at least 7 days in advance of medical procedure
- Provider would request info from insurer, if insurer fails to supply information then provider/hospital is not liable

Surprise Billing Vetoed

- **Surprise Billing**
- Language was inserted into the budget regarding prohibition of “surprise” out-of-network billing of patients for medical care
- Despite pushback from physician groups, the finalized version of the bill contained problematic provisions regarding reimbursement for out-of-network providers at an in-network facility
- Governor vetoed these items

Medicaid Managed Care Plans

- Ohio to re-choose the insurance companies
- Currently 5 companies covering 2.8 million Ohioans
- Questions: # of new companies/ regional or statewide/ cap on number of patients?
- What you said you want:
 - Plan Accountability
 - Clearer Grievance and Appeal Processes
 - Provider Support
 - Prompt Payment
 - Patient Care Coordination

Prior Authorization

- Web-Based to Accept PR Requests
- 10-Day Turnaround for Decisions
- 2-Day Turnaround for Urgent Decisions
- Electronic Receipts, Denial Explanations
- No Retro-active Denials

Medical Marijuana

- By the Numbers (as of early October 2019):
 - 63,819 registered patients
 - 40,571 patients who have purchased
 - 561 physicians with certificate to recommend
 - 3,801 lbs. of marijuana sold
 - \$31.7 million in product sales for state
 - 40 dispensaries with license to operate



Qualifying Conditions

- AIDS
- ALS
- Alzheimer's disease
- Cancer
- Chronic traumatic encephalopathy
- Crohn's disease
- Epilepsy or another seizure disorder
- Fibromyalgia
- Glaucoma
- Hepatitis C
- Inflammatory bowel disease
- Multiple sclerosis
- Pain that is either chronic and severe or intractable
- Parkinson's disease
- Positive status for HIV
- Post-traumatic stress disorder
- Sickle cell anemia
- Spinal cord disease or injury
- Tourette's syndrome
- Traumatic brain injury
- Ulcerative colitis

Hemp

- Senate Bill 57 signed in July 2019
- Legalizes growing hemp and manufacturing hemp products – CBD Oils
- Hemp is $<.03$ THC (not a controlled substance); Marijuana $>.03$ THC (a controlled substance)
- Patients do not need a prescription; Doctors can freely recommend it; Medicinal value in question
- Federal government legalized hemp in 2018
- Hemp vs Marijuana vs Law Enforcement

Questions



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