

# WASHINGTON ACADEMY OF FAMILY PHYSICIANS

PREPARED BY: CAPITOL STRATEGIES

Weekly Report

Sunday, April 19, 2009

## ONE WEEK LEFT OF REGULAR SESSION

With one week left of the regular session, the focus has turned to bills that were changed by the opposite house as well as the budget. The deadline for concluding all legislative business is April 26. They will have to go into special session which could last as long as 30 days if they are not done by this date.

The general fund budget is faced with a large deficit - about \$9 billion out of a \$33 billion dollar budget. They plan to cut about \$4 billion and make up the difference with federal stimulus money along with money from other state funds. The House and Senate continue to discuss the differences between their budgets, both of which have passed out of their respective Ways and Means Committees. We can expect action on the budgets later this week.

The rest of the activity this week will be on bill concurrences. When the House amends a bill that has already been passed by the Senate, and visa versa, the bill must go back to the House to be approved. Most bills are concurred in, though some will not be. The House and Senate can set up a formal process to resolve these differences, a conference committee, or resolve them informally. Some health care bills are in dispute and will not be resolved until close to the end of the session.

The primary care reimbursement study bill, SB 5891, has passed the House and is awaiting concurrence by the Senate. SB 5892, the Governor's prescription drug bill, is still in the House Ways and Means committee. The budget assumes a certain level of savings from the bill. A recently introduced bill, HB 2342, would create an account to pay for universal vaccine purchases for children not covered by federal programs. The account would have no funding, but could receive federal money which may become available, as well as other public and private money. This bill was heard in House Ways and Means committee and has not moved out yet.

## BILL TRACKING SUMMARY

### HIGH PRIORITY BILLS

	<u>Sponsor</u>	<u>Position</u>	<u>Status</u>
<a href="#">S1244</a> Making operating appropriations for fiscal years 2007-2009 and 2009-2011. (DIGEST OF PROPOSED 1ST SUBSTITUTE)	Linville	Monitor	H, Rules R +
<a href="#">ES1694</a> Addressing fiscal matters for the 2007-2009 biennium. (DIGEST OF PROPOSED 1ST SUBSTITUTE)	Linville	Monitor	C 4 L 09
<a href="#">2342</a> Creating the universal vaccine purchase account.	Cody	Monitor	H, Ways & Means
<a href="#">2377</a> Funding health care and the working families' tax rebate with a voter-approved temporary sales tax increase.	Pettigrew	Monitor	H, HHS Apps
<a href="#">S5600</a> Making 2009-2011 operating appropriations. (DIGEST OF PROPOSED 1ST SUBSTITUTE)	Prentice	Monitor	S, Rules 2 +
<a href="#">S5891</a> Establishing a forum for testing primary care medical home reimbursement pilot projects. (DIGEST OF PROPOSED 1ST SUBSTITUTE)	Keiser	Support	H, Passed 3rd
<a href="#">2S5945</a> Creating the Washington health partnership plan. (DIGEST OF PROPOSED 2ND SUBSTITUTE)	Keiser	Monitor	H, Passed 3rd +

## **MEDIUM PRIORITY BILLS**

<a href="#">S1402</a>	Restricting contact with medical providers after appeals have been filed under industrial insurance. (DIGEST OF PROPOSED 1ST SUBSTITUTE)	Williams	Oppose	H, Passed FP +
<a href="#">ES2128</a>	Concerning health care coverage for children. (AS OF HOUSE 2ND READING 3/6/2009)	Seaquist	Monitor	S, Passed 3rd +
<a href="#">2341</a>	Modifying the basic health plan program.	Cody	Monitor	H, Ways & Means
<a href="#">2348</a>	Regarding surcharges on fee-based activities related to public health.	Moeller	Monitor	H, Ways & Means
<a href="#">2364</a>	Relating to health care programs to implement the 2009-2011 operating budget.	Linville	Monitor	H, Ways & Means
<a href="#">2S5346</a>	Concerning administrative procedures for payors and providers of health care services. (DIGEST OF PROPOSED 2ND SUBSTITUTE)	Keiser	Support	H, Passed 3rd
<a href="#">S5501</a>	Concerning the secure exchange of health information. (DIGEST OF PROPOSED 1ST SUBSTITUTE)	Keiser	Monitor	H, Passed 3rd +
<a href="#">ES5889</a>	Providing flexibility in the education system. (DIGEST OF PROPOSED 1ST SUBSTITUTE)	Hobbs	Monitor	H, Passed 3rd +
<a href="#">ES5892</a>	Concerning prescription drug use in state purchased health care programs. (DIGEST OF PROPOSED 1ST SUBSTITUTE)	Keiser	Neutral	H, Ways & Means +
<a href="#">8003</a>	Requesting that Congress issue a date at which health information technology must comply with a uniform national standard of interoperability.	Pflug	Monitor	Del to Gov

## **LOW PRIORITY BILLS**

<a href="#">1322</a>	Repealing scoliosis screening in schools.	Green	Monitor	C 41 L 09
<a href="#">ES1401</a>	Concerning the standard health questionnaire. (DIGEST OF PROPOSED 1ST SUBSTITUTE)	Cody	Monitor	C 42 L 09
<a href="#">1596</a>	Protecting a woman's right to breastfeed in a place of public resort, accommodation, assemblage, or amusement.	Green	Monitor	Del to Gov
<a href="#">2S1899</a>	Concerning physicians holding a retired active license. (DIGEST OF PROPOSED 2ND SUBSTITUTE)	Warnick	Monitor	S, Passed 3rd
<a href="#">2014</a>	Requiring tamper-resistant prescription pads.	Kelley	Monitor	S, Passed 3rd
<a href="#">2025</a>	Sharing health care information.	Orwall	Monitor	S, Passed 3rd
<a href="#">ES2105</a>	Concerning diagnostic imaging services. (AS OF HOUSE 2ND READING 3/10/2009)	Cody	Monitor	S, Pres Signed
<a href="#">2117</a>	Modifying the basic health plan.	Cody	Monitor	S, Ways & Means +
<a href="#">2349</a>	Concerning disproportionate share hospital adjustments.	Cody	Monitor	H, Ways & Means
<a href="#">S5056</a>	Requiring health care professionals to report patient information in cases of violent injury. (DIGEST OF PROPOSED 1ST SUBSTITUTE)	Brandland	Monitor	S, Passed FP
<a href="#">S5360</a>	Establishing a community health care collaborative grant program. (DIGEST OF PROPOSED 1ST SUBSTITUTE)	Keiser	Monitor	H, Passed 3rd +
<a href="#">S5436</a>	Concerning direct patient-provider primary care practice arrangements. (DIGEST OF PROPOSED 1ST SUBSTITUTE)	Murray	Support	H, Passed 3rd +
<a href="#">S5480</a>	Creating the Washington health care discount plan organization act. (DIGEST OF PROPOSED 1ST SUBSTITUTE)	Delvin	Monitor	Del to Gov
<a href="#">S5588</a>	Administering, suspending, and eliminating boards and commissions. (DIGEST OF PROPOSED 1ST SUBSTITUTE)	Pridemore	Monitor	S, Rules 2 +
<a href="#">S5994</a>	Eliminating boards and commissions on June 30, 2010. (DIGEST OF PROPOSED 1ST SUBSTITUTE)	Pridemore	Monitor	S, Rules 2G +
<a href="#">S5995</a>	Eliminating certain boards, committees, and commissions and the consolidation and transfer of certain duties effective June 30, 2009.	Pridemore	Monitor	S, 2nd Reading +

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

<a href="#">6150</a>	Concerning the health technology assessment program.	Keiser	Monitor	S, Hea/L-T Care
<a href="#">6171</a>	Concerning savings in programs under the supervision of the department of health.	Prentice	Monitor	S, Ways & Means

## BILL TRACKING SUMMARY

### HIGH PRIORITY BILLS

		<u>Sponsor</u>	<u>Position</u>	<u>Status</u>
<a href="#">S1244</a>	Making operating appropriations for fiscal years 2007-2009 and 2009-2011. (DIGEST OF PROPOSED 1ST SUBSTITUTE) Makes 2009-2011 operating appropriations. The Legislature will make adjustments to current programs and provider payments of interest to WAFP. Reductions or curtailments of planned expansions is highly likely.	Linville	Monitor	H, Rules R +
<a href="#">ES1694</a>	Addressing fiscal matters for the 2007-2009 biennium. (DIGEST OF PROPOSED 1ST SUBSTITUTE) Addresses fiscal matters for the 2007-2009 biennium. Makes reductions in the current biennium.	Linville	Monitor	C 4 L 09
<a href="#">2342</a>	Creating the universal vaccine purchase account. Creates the universal vaccine purchase account for children not eligible for the federal vaccine purchase program. Will be funded from contributions from public and private entities and is a non-appropriative account.	Cody	Monitor	H, Ways & Means
<a href="#">2377</a>	Funding health care and the working families' tax rebate with a voter-approved temporary sales tax increase. Asks the voters to approve temporary tax increases in order to fund health care and to support working families during this time of revenue shortfalls. Creates the health care trust account. Makes appropriations.	Pettigrew	Monitor	H, HHS Apps
<a href="#">S5600</a>	Making 2009-2011 operating appropriations. (DIGEST OF PROPOSED 1ST SUBSTITUTE) Makes 2009-2011 operating appropriations. This is the Governor's budget	Prentice	Monitor	S, Rules 2 +
<a href="#">S5891</a>	Establishing a forum for testing primary care medical home reimbursement pilot projects. (DIGEST OF PROPOSED 1ST SUBSTITUTE) Requires the health care authority and the department of social and health services to design, oversee implementation of, and evaluate one or more primary care medical home reimbursement pilot projects in the state to include as participants public payors, private health carriers, third-party purchasers, and health care providers. Expires July 1, 2013.	Keiser	Support	H, Passed 3rd
<a href="#">2S5945</a>	Creating the Washington health partnership plan. (DIGEST OF PROPOSED 2ND SUBSTITUTE) Creates the Washington health partnership to attain the following goals: (1) By 2012, every resident of this state shall have access to affordable, comprehensive health care services; (2) Services shall be provided through the private health care sector; (3) The health reform plan shall maintain and improve choice of health care providers and high quality health care services in this state; and (4) The health reform plan shall include cost-containment strategies that retain and assure affordable coverage for all Washingtonians.  Requires the department of social and health services to: (1) Submit a request to the federal department of health and human services to expand and revise the medical assistance program as codified in Title XIX of the federal social security act; (2) Submit a Title XXI state plan amendment or waiver to the federal department of health and human services to allow Title XXI children to participate in the department's employer-sponsored program, as may be necessary; (3) Require families to enroll in available employer-sponsored coverage when it is cost-effective for the state to do so, to the extent allowable under federal law; (4) Continue to submit applications for the family planning waiver program; and (5) Submit a request to the federal department of health and human services to amend the current family planning waiver program.  Requires the department of ecology, in collaboration with the department of social and health services, to maximize the use of federal funds, including section 317 of the federal public health services act direct assistance as well as federal funds that may become available under the American recovery and reinvestment act, in order to continue to provide immunizations for low-income, nonmedicaid eligible children up to three hundred percent of the federal poverty level in state-sponsored health programs.	Keiser	Monitor	H, Passed 3rd +

### MEDIUM PRIORITY BILLS

<a href="#">S1402</a>	Restricting contact with medical providers after appeals have been	Williams	Oppose	H, Passed FP +
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filed under industrial insurance. (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Restricts contact with medical providers after appeals have been filed under industrial insurance. Provides that the act applies to orders entered on or after the effective date of the act.

[ES2128](#) Concerning health care coverage for children. (AS OF HOUSE 2ND READING 3/6/2009) Seaquist Monitor S, Passed 3rd +

Requires the department of social and health services to manage its outreach, application, and renewal procedures with the goal of achieving year by year improvements in enrollment, enrollment rates, renewals, and renewal rates in order to qualify for enhanced federal funding. Delays the availability of children's health insurance until January 1, 2010, for children in families with household income over three hundred percent of the federal poverty level. Renames the children's health program as the apple health for kids program.

[2341](#) Modifying the basic health plan program. Cody Monitor H, Ways & Means  
Changes provisions related to the Basic Health Plan. Stipulates that persons getting health care from a DSHS program cannot enroll in the BHP. Allows the Health Care Authority to charge different premiums for person who smoke or are obese. Allows the HCA to establish criteria to disenroll participants.

[2348](#) Regarding surcharges on fee-based activities related to public health. Moeller Monitor H, Ways & Means  
Requires a surcharge to be assessed upon each health care provider credential at an annual rate of seven dollars for all credentialed health care providers regulated by a disciplining authority identified in RCW 18.130.040. Requires a surcharge of eight dollars to be charged to each transaction related to the purchase of certified copies of birth and death certificates. Requires a local health jurisdiction, in addition to any regular fee for an inspection of a food establishment conducted by the local health jurisdiction, to assess an additional surcharge of ten dollars upon the establishment.

[2364](#) Relating to health care programs to implement the 2009-2011 operating budget. Linville Monitor H, Ways & Means

Declares an intent to adopt legislation to revise health care programs in order to implement the 2009-2011 operating budget. This is a title only bill. It has been introduced as a possible vehicle for policy bills.

[2S5346](#) Concerning administrative procedures for payors and providers of health care services. (DIGEST OF PROPOSED 2ND SUBSTITUTE) Keiser Support H, Passed 3rd

Finds that: (1) The health care system in the nation and in Washington state costs nearly twice as much per capita as other industrialized nations; and (2) The fragmentation and variation in administrative processes prevalent in our health care system contribute to the high cost of health care, putting it increasingly beyond the reach of small businesses and individuals in Washington. Declares an intent to: (1) Establish streamlined and uniform procedures for payors and providers of health care services in the state; and (2) Foster a continuous quality improvement cycle to simplify health care administration.

Directs the department of social and health services, the department of labor and industries, and the health care authority to cooperate with the insurance commissioner and adopt the processes, guidelines, and standards to streamline health care administration pursuant to the act. Directs the insurance commissioner to designate one or more lead organizations to coordinate development of processes, guidelines, and standards to streamline health care administration and to be adopted by payors and providers of health care services operating in the state.

[S5501](#) Concerning the secure exchange of health information. (DIGEST OF PROPOSED 1ST SUBSTITUTE) Keiser Monitor H, Passed 3rd +

Requires the administrator of the state health care authority to designate one or more lead organizations to coordinate development of processes, guidelines, and standards to: (1) Improve patient access to and control of their own health care information, enabling their active participation in their own health care; and (2) Implement methods for the secure exchange of clinical data as a means to promote continuity of care, quality of care, patient safety, and efficiency in medical practices. Requires the office of financial management, within available funds, to contract with an independent research organization to evaluate implementation of the act.

[ES5889](#) Providing flexibility in the education system. (DIGEST OF PROPOSED 1ST SUBSTITUTE) Hobbs Monitor H, Passed 3rd +

Provides flexibility in the education system to reduce costs. Keeps the requirement for school visual and hearing testing for all students and allows eye health providers to donate their time for that purpose.

[ES5892](#) Concerning prescription drug use in state purchased health care programs. (DIGEST OF PROPOSED 1ST SUBSTITUTE) Keiser Neutral H, Ways & Means +

This is the Governor's bill to reduce prescription costs for state funded health care programs. Authorizes state purchased health care programs to maximize appropriate prescription drug use in a cost-effective manner. Deletes the requirement for state funded prescriptions to be filled with a brand name drug if the provider writes "dispense as written" on the prescription. Requires starting with generic prescriptions before using brand name. Makes it easier to list generic drugs on the formulary list. Restricts prescribing off label.

<a href="#">8003</a>	Requesting that Congress issue a date at which health information technology must comply with a uniform national standard of interoperability. Urges Congress to institute a date certain, no later than January 1, 2013, at which time all vendors, suppliers, and manufacturers of health information technology must comply with a uniform national standard of interoperability, such that all electronic medical and health records can be readily shared and accessed across all health care providers and institutions while at the same time preserving the proprietary nature of health information technology producers that will encourage future innovation and competition.	Pflug	Monitor	Del to Gov
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## **LOW PRIORITY BILLS**

<a href="#">1322</a>	Repealing scoliosis screening in schools. Repeals scoliosis screening in schools.	Green	Monitor	C 41 L 09
<a href="#">ES1401</a>	Concerning the standard health questionnaire. (DIGEST OF PROPOSED 1ST SUBSTITUTE) Modifies the standard health questionnaire in regard to the basic health plan and an individual health benefit plan.	Cody	Monitor	C 42 L 09
<a href="#">1596</a>	Protecting a woman's right to breastfeed in a place of public resort, accommodation, assemblage, or amusement. Protects the right of a mother to breastfeed in a place of public resort, accommodation, assemblage, or amusement.	Green	Monitor	Del to Gov
<a href="#">2S1899</a>	Concerning physicians holding a retired active license. (DIGEST OF PROPOSED 2ND SUBSTITUTE) Modifies continuing education requirements for physicians holding a retired active license. Exempts a physician who resides and practices in this state and who obtains or renews a retired active license from the licensing fees imposed under RCW 18.71.080. Requires the medical quality assurance commission to consider amending its rules on retired active physicians in a manner that improves access to health care services for the citizens of this state without compromising public safety.	Warnick	Monitor	S, Passed 3rd
<a href="#">2014</a>	Requiring tamper-resistant prescription pads. Requires every prescription written in this state by a licensed practitioner to be written on a tamper-resistant prescription pad or paper approved by the board of pharmacy.	Kelley	Monitor	S, Passed 3rd
<a href="#">2025</a>	Sharing health care information. Authorizes treatment records of a person to be released without informed written consent to a licensed health care professional who is providing or anticipates providing health care to a person with both medical and behavioral health care needs, for the purpose of coordinating care and treatment of that person.	Orwall	Monitor	S, Passed 3rd
<a href="#">ES2105</a>	Concerning diagnostic imaging services. (AS OF HOUSE 2ND READING 3/10/2009) Directs the department of labor and industries to convene a work group to analyze and identify evidence-based best practice guidelines or protocols applicable to advanced diagnostic imaging services and any decision and support tools available to implement the guidelines or protocols. Requires all state purchased health care programs, for those health care services purchased directly by the state, to implement evidence-based best practice guidelines or protocols applicable to advanced diagnostic imaging services, and the decision support tools to implement the guidelines or protocols.	Cody	Monitor	S, Pres Signed
<a href="#">2117</a>	Modifying the basic health plan. Revises the basic health plan to enable unemployed workers to maintain their health and avoid the risk of financial hardship related to unpaid medical bills as they search for new employment.	Cody	Monitor	S, Ways & Means +
<a href="#">2349</a>	Concerning disproportionate share hospital adjustments. Requires the department of social and health services, in establishing Title XIX payments for inpatient hospital services, to provide a disproportionate share hospital adjustment considering certain components, only to the extent funds are appropriated specifically for this purpose, and subject to any conditions placed on appropriations made for this purpose.	Cody	Monitor	H, Ways & Means
<a href="#">S5056</a>	Requiring health care professionals to report patient information in cases of violent injury. (DIGEST OF PROPOSED 1ST SUBSTITUTE) Requires health care professionals to report violent injuries and to preserve evidence for law enforcement. This bill is supported by law enforcement. It will primarily affect hospitals and first responders.	Brandland	Monitor	S, Passed FP
<a href="#">S5360</a>	Establishing a community health care collaborative grant program. (DIGEST OF PROPOSED 1ST SUBSTITUTE) Authorizes the Washington state health care authority, within funds appropriated for community health care collaborative grants, to award grants for community-based health care collaborative programs that increase access to appropriate, affordable health care for Washington residents, consistent with requirements established by the act. Establishes the community health care collaborative grant program to further the efforts of community-based coalitions to increase access to appropriate, affordable health care for Washington residents, particularly employed low-income	Keiser	Monitor	H, Passed 3rd +

persons and children in school who are uninsured and underinsured.

<a href="#">S5436</a>	Concerning direct patient-provider primary care practice arrangements. (DIGEST OF PROPOSED 1ST SUBSTITUTE) Modifies provisions regarding payment arrangements involving direct patient-provider primary care practices. Allows the direct patient-provider to accept payment from third party entities and from self-insured plans. Modifies what they can pay for to include all xrays and lab work; current law restricts these to wellness exams.	Murray	Support	H, Passed 3rd +
<a href="#">S5480</a>	Creating the Washington health care discount plan organization act. (DIGEST OF PROPOSED 1ST SUBSTITUTE) Creates the Washington health care discount plan organization act to promote the public interest by establishing standards for discount plan organizations, to protect consumers from unfair or deceptive marketing, sales, or enrollment practices, and to facilitate consumer understanding of the role and function of discount plan organizations in providing discounts on charges for health care services. Requires a person to obtain a license from the insurance commissioner to operate as a discount plan organization before conducting discount plan business to which the act applies. Requires discount plans to have signed agreements with health care providers and that health care providers cannot charge more than the agreed upon rate. This is a Insurance Commissioner request bill.	Delvin	Monitor	Del to Gov
<a href="#">S5588</a>	Administering, suspending, and eliminating boards and commissions. (DIGEST OF PROPOSED 1ST SUBSTITUTE) Administers, suspends, and eliminates boards and commissions. Requires the governor, by July 1, 2010, to recommend to the legislature which of the boards and commissions, created either by statute or by action of the executive branch, shall receive state funding, those whose activities shall be suspended, and those which shall be terminated either by legislative or executive branch action.	Pridemore	Monitor	S, Rules 2 +
<a href="#">S5994</a>	Eliminating boards and commissions on June 30, 2010. (DIGEST OF PROPOSED 1ST SUBSTITUTE) Eliminates boards and commissions on June 30, 2010. Declares that while advisory boards, committees, and commissions be eliminated, agencies should identify new, less costly, and more effective opportunities to ensure a broad range of citizen participation is provided and that all reasonable efforts are made to ensure that channels are maintained for vital input from the citizens of Washington. Ample time is provided for the advisory groups to complete work in progress and for agencies to develop alternative communication strategies. Eliminates several health care related boards and advisory groups, including the UWSOM Family Practice Education Advisory Committee.	Pridemore	Monitor	S, Rules 2G +
<a href="#">S5995</a>	Eliminating certain boards, committees, and commissions and the consolidation and transfer of certain duties effective June 30, 2009. (DIGEST OF PROPOSED 1ST SUBSTITUTE) Eliminates certain boards, committees, and commissions and transfers certain duties by June 30, 2009. Includes the Citizens' Work Group on health Care Reform.	Pridemore	Monitor	S, 2nd Reading +
<a href="#">6150</a>	Concerning the health technology assessment program. Modifies the composition and duties of the health technology clinical committee established in RCW 70.14.090.	Keiser	Monitor	S, Hea/L-T Care
<a href="#">6171</a>	Concerning savings in programs under the supervision of the department of health. Provides savings in programs under the supervision of the department of health. Would streamline the adverse reporting process.	Prentice	Monitor	S, Ways & Means