



## OVERVIEW

The Legislature is on full throttle in an attempt to enact a number of priorities before an expected earlier-than-normal year-end adjournment. Among the items on the "to do" list are:

- a Constitutionally mandated enactment of a full disclosure law for elected and appointed officials
- a comprehensive renewable energy law mandating goals for carbon free energy production
- enactment of a Reproductive Health Act
- repealing a number of laws enacted during years of Republican control, including the so-called FDA defense protecting pharmaceutical manufacturers from product liability lawsuits
- creation of a Prescription Drug Affordability Board which would be charged with monitoring escalating drug costs
- revision of Michigan's auto no-fault law to add greater reimbursement for home health care workers

Democrats have a challenge to their control of the House, and it is of their own doing. They now hold a 56-54 majority, but 2 of their members are running for local office in a general election November 7th. If both of those members win their election, the partisan makeup of the House would be 54-54, and many of the Governor's priorities could not be enacted. Moreover, several bills that have passed and been signed into law by the Governor will not become effective until around April 1 of 2024. This is so because the minority Republicans withheld their support for the bills taking immediate effect. Without immediate effect, a bill that is enacted does not take effect until 90 days after final adjournment for the year by Constitutional mandate.

One of those bills not granted immediate effect is moving up the date of Michigan's Presidential Primary to February 27, a measure that President Biden's campaign wanted. However, since it did not get immediate effect, the law would not take effect until well after the February 27 date. That is, if the Legislature adjourned for the year as it normally does between Christmas and New Year's Day. For these and a few other reasons, Democrats are giving serious consideration to adjourning for the year in early November instead of late December. The odds are for early adjournment on November 9. By so doing, the Governor could call a special election to fill vacancies in case the 2 state representatives are elected to local office and Michigan presidential primary could be held on February 27. Early adjournment would also mean nurse practitioners would have less time this year to try and get their legislation passed. Stay tuned!

## LEGISLATION

### **Scope of Practice:**

On April 20, Senator Jeff Irwin (D-Ann Arbor) introduced SB 279, which is a reintroduction of last session's SB 680. The bill has bipartisan co-sponsorship and has been referred to the Senate Committee on Health Policy. This legislation, in essence, allows nurse practitioners to practice medicine by granting them authority to diagnose and prescribe controlled substances without being under the supervision of a physician. It also specifically allows nurse practitioners to engage in "ordering, performing, supervising and interpreting laboratory and imaging studies."

Physician groups are adamantly opposed to this legislation and are already actively lobbying against it. The MRS Legislative Committee has discussed this bill at length and has alternative language which would not allow nurse practitioners to practice radiology. MRS, along with other physicians, specialty organizations and MSMS, will be waging a very vigorous, grassroots campaign in opposition. In fact, SB 279 was the focal point of the MRS Legislative Day. Due to the effort of MRS, MSMS and other physician groups thus far, the bill has been stalled.

### **Physician-Led Patient Care Teams:**

Rep. Alabas Farhat (D-Dearborn) has introduced HB 4472, which would establish and mandate practice agreements for physician assistants and nurse practitioners. The agreements call for a patient care team led by a physician or physicians. The legislation was introduced at the request of Michigan State Medical Society and is supported by physician specialty groups. It is now with the House Committee on Health Policy. The introduction of this bill was a counter-offensive by MSMS and physician groups to the nurses' efforts to legislate a medical degree.

### **HB 4071, Oral Chemo Therapy:**

Rep. Samantha Steckloff (D-Northville) sponsored a bill that requires equal insurance coverage for oral cancer chemotherapy and intravenous therapy. This bill has passed the Senate and has been signed by the Governor.



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MRS Lobbyist

**HB 4015, Insulin Co-Pay:**

Sponsored by Rep. Jennifer Conlin (D-Dexter), places a limit on the co-pay of Insulin at \$35 for every 30-day supply. This bill remains with the House Insurance and Financial Services Committee.

**HB 4276, Pharmacy Benefit Manager Regulation:**

Rep. Farhat has introduced legislation calling for strict regulation of reporting requirements for pharmacy benefit managers. The bill has now passed the House and is with the Senate. It is a priority among Democratic Party leadership, and I expect its passage before the Legislature adjourns for the year.

**SB 27, Mental Health Parity:**

Sponsored by Sen. Sarah Anthony (D-Lansing), requires health insurers to give equal coverage for behavioral health and substance use disorder services as that given for physical health. Much of this is a codification of federal law; nevertheless, I do expect it to pass. The bill has passed the Senate by a vote of 35-3 and has been referred to the House Committee on Insurance and Financial Services.

**Radiation Technology Rules:**

The Department of Labor and Economic Opportunity (DLEO) is promulgating administrative rules that will establish education and training requirements for operators of ionizing equipment. A public hearing was held on August 16 with MRS former President Ralph Lieto testifying along with members of the Society of Nuclear Medicine, Molecular Imaging and the American Society of Radiologic Technologists. My best information is the Department will go ahead with the Rules, but exclude nuclear medicine because it believes it has no jurisdiction to regulate nuclear medicine.

**Legislative Day:**

The MRS Legislative Day was November 1, 2023. Legislative Committee and MRS leadership visited members of the Senate Health Policy Committee to oppose SB 279 and to explain what is required if an individual is to become a radiologist.

