



Legislative Update

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OVERVIEW

The Legislature returned from its spring break on April 11, and promptly continued to advance legislation regarding stricter gun control and gun storage laws. On April 13, the Governor signed bills calling for safe storage of guns and for universal background checks. The bills were signed in Spartan Stadium, two months to the day after a gunman shot and killed 3 students and injured 5 others. A day later, the House passed on a partisan vote a bill which creates a "red flag" law allowing courts to order gun confiscation upon a judicial finding that the affected person posed an extreme danger to himself/herself and/or others. The bill is expected to pass the Senate in the near future.

Meanwhile, both House and Senate Appropriation Subcommittees continue putting together the FY 2023-24 State Budget. It is anticipated that Subcommittees will report their budgets to the full House and Senate Appropriations Committees by the end of April. The goal is to have an enacted Budget on the Governor's desk by mid-June. One of the reasons for waiting is due to the mandated Revenue Estimating Conference scheduled for May. The conference consists of the State Budget Director, State Treasurer and the House and Senate Fiscal Agencies. The consensus of the Conference will form the basis for target figures for all departmental, K-12, and higher education budgets.

Finally, it is anticipated that policy issues, especially issues involving health policy, will be given a priority for the rest of the year. These issues include access to health care, health care equity pharmaceutical cost containment and pricing transparency and new insurance coverage mandates. It is noted that the access issue often involves attempts at "scope of practice" creep by nurses, chiropractors and others in health care. MRS continues to work with MSMS to thwart any effort to legislate a medical degree.

LEGISLATION

HB 4316, SB 219, Pharmacist Allowed to Dispense Vaccines and Certain Diagnostic Tests

These bills are identical and are sponsored by Rep. Alabas Farhat (D-Dearborn) and Sen. Sylvia Santana (D-Detroit). They enable a pharmacist to order and administer vaccines without the supervision of a physician. In addition, they allow the pharmacist to administer "diagnostic laboratory tests classified by the Food and Drug Administration as waived, advising the patient on the results, and referring patients to prescribers for follow-up care." I am working with the MSMS lobbying team to protect imaging from the purview of that bill. It appears what is meant by diagnostic testing in this instance are tests exempted from the federal Clinical Laboratory Improvement Amendments (CLIA) which regulate testing and certification of clinical laboratories by the Centers for Medicare and Medicaid Services. It also appears that exempted testing are those tests approved for home use and those approved for a waiver by CLIA. Therefore, it would appear these tests have nothing to do with imaging, but rather are meant to be used by the general public, like home COVID tests. However, we are making sure that is the case. Together with MSMS, clarifying language will be offered. It also now appears that the vehicle bill will be SB 219, the Senator Santana bill. Last week there was a hearing before the Senate Health Policy Committee and another hearing is scheduled for April 19. At that time, it is anticipated that the bill will be reported to the full senate.

Scope of Practice:

I have it on good authority that Senator Jeff Irwin (D-Ann Arbor) will reintroduce last session's SB 680. It was this bill that would have allowed nurse practitioners to practice medicine and radiology specifically.

HB 4071, Oral Chemo Therapy:

Rep. Samantha Steckloff (D-Northville) is sponsoring a bill that requires equal insurance coverage for oral cancer chemo therapy and intravenous therapy. This bill has been referred to the House Insurance and Financial Services Committee.

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 has been referred to 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 been reported to the House Health Policy Committee.

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. The bill has been referred to the Senate Committee on Health Policy.

Prior Authorization:

Providers, including physicians, will likely attempt to make further gains to reform the prior authorization practice. I see this occurring late this year or early next.

Radiation Technology Rules:

The Department of Labor and Economic Opportunity (DLEO) plans to promulgate administrative rules that will establish education and training requirements for operators of ionizing equipment. DLEO has sent formal notice of the same and an opportunity for public input will be provided at a public hearing to be held in August.

ACR Capitol Hill Day:

Plans are underway to resume in-person Congressional appointments for the ACR Capitol Hill Day on May 10. I am working with the ACR to obtain talking points and other materials for MRS members. My office is also working on Congressional appointments for our 3 teams of MRS members.

