



Warner Norcross + Judd LLP

Memorandum:

To: Board of Trustees, Michigan Radiological Society and Shannon Sage, Executive Director

From: James Cavanagh and Ronald Stallworth

RE: Legislative Report

### Overview

The Michigan House and Senate are now in full swing passing their priority legislation and sending it to the other Chamber. For the new Republican majority in the House, those priorities include passing a reduction in the state income tax, and approving a so-called “continuation budget” that did not include health care. The Democratic Senate has passed 340(b) legislation meant to limit PhRMA’s ability to dictate which hospitals get the discounted pharmaceutical prices. The atmosphere is highly partisan with the Senate suing the House for not forwarding to the Governor bills passed last session by both Houses. Moreover, House Republicans indicate they will not approve a “close of the books” Supplemental Appropriations bill for 2024. That bill contains funding for debts incurred and has some lawmakers concerned that failing to pass it will adversely affect the State’s credit rating.

With the highly charged partisan atmosphere between the two Houses, it’s good they will be taking their spring break soon. The House will be gone from March 27 until April 15 and the Senate will take its break from March 21 until April 8. You see, they can’t even agree to coordinate their breaks!

### State Budget

The new Speaker of the House Rep. Matt Hall (R-Kalamazoo) has put the State Senate and the Governor on notice that there may not be agreement on a budget for the next fiscal year which begins October 1. Consequently, the House Republicans with one Democrat passed a “contingency budget” which funds Republican priorities of prisons, law enforcement, and K-12 education, Democrats were quick to point out that this “contingency budget” does not fund Medicaid, environmental protection and enforcement and higher education. The tactic is seen as a negotiating tool to ensure the Democratic majority in the Senate and the Democratic Governor accept a number of Republican budgetary priorities.

### Legislation

Mammography Standards:

SB 136 sponsored by Senator Sarah Anthony (D-Lansing) requires the Department of Labor and Economic Opportunity to promulgate rules to incorporate standards under the Mammography Quality Standards Act. It also requires the Department to promulgate rules prescribing minimum training and performance standards for an individual using a radiation machine for mammography. SB 136 is a reintroduction of SB 1042 from last year that passed the Senate, but died on the House floor at the end of “lame duck” session. The bill just reported from the Senate Health Policy Committee to the full Senate on March 19.

#### Physical Therapy:

HB 4101 sponsored by Rep. Matthew Beilein (R-Vassar) enters Michigan into the Physical Therapy Licensing Compact. The bill was referred to the House Health Policy Committee and as of this writing is scheduled for a hearing this week.

#### 340 (b) Legislation:

Earlier this month, the Senate passed by a vote of 33-3 SB 94. The legislation is a re-introduction of a bill which died last session prohibiting drug manufacturers from restricting hospitals that want to pass along 340 (b) savings to other hospitals. The bill has been referred to the House Health Policy Committee. The Chair of that Committee has informed me that the process in the House will be much more deliberate than that of the Senate.

#### Inter-state Nurse Compact:

Rep Phil Green (R-Mayville) has just introduced HB 4246. The bill enters Michigan into an interstate nursing compact, whereby nurses licensed in other states that are in the Compact could practice in Michigan and vice versa. The bill has been referred to the House Health Policy Committee. There is a question as to whether nurse practicing in another state with an expanded scope of practice could do the same in Michigan. A similar bill passed the legislature in Governor Whitmer's first term and she vetoed it saying it unlawfully abdicated the states regulatory authority. We will be watching this bill closely.

#### Other

#### Certificate of Need:

Chiropractors are advocating for an exemption from formal approval by the Certificate of Need Commission for cone beam CT. The Commission has authorized a Standards Advisory Committee (SAC) to look into the matter. The SAC nomination period is open until May 1. The MRS Legislative Committee is seeking a member willing to submit an application and serve on this SAC.

#### Capitol Hill Day:

The annual ACR Capitol Hill Day is scheduled for May 7. The Day is in conjunction with the ACR annual conference. If you are planning on being part of Capitol Hill Day please let Shannon know so my office can schedule Congressional appointments.