

MEDCHI 2009

LEGISLATIVE AND REGULATORY AGENDA

MEDICAID AND THE UNINSURED: MedChi will continue to protect the integrity of the Medicaid program with respect to eligibility and benefits and will continue to advocate for increased Medicaid reimbursement so as to assure access to appropriate care for all Maryland citizens regardless of ability to pay.

PHYSICIAN PAYMENT AND INSURANCE REFORM: Maryland physician reimbursements fall below the 25th percentile nationally, according to the Maryland Health Care Commission. MedChi will work to improve the reimbursement climate for Maryland physicians with multiple initiatives including:

- Support legislative proposals of Governor's Task Force on Health Care Access and Reimbursement and other options identified by MedChi to increase physician reimbursement (**HB 255, HB 526, HB 585, HB 714, SB 380, SB 627, SB 646, SB 661**);
- Support legislation increasing regulation of health insurers' medical loss ratios, reserves and surplus accumulation to guarantee that premiums fully benefit insured patients; (**HB 272, HB 952, SB 79**);
- Require insurers to reimburse for administrative services, electronic and telephonic communications, including prior authorization forms and protect physicians from punitive actions by third-party payers when they provide and charge patients for non-clinical services (**HB 1147**);
- Work to assure that Maryland law is interpreted correctly so as to allow an insurance carrier to retroactively reclaim monies in a coordination of benefits case only when another carrier acknowledges and pays the claimed amount; and,
- Enact laws requiring insurers to recognize a patient's assignment of insurance benefits (**HB 1366** – Hearing on March 19, 2009, **SB 852**).

MEDICAL LIABILITY REFORM: MedChi will work to:

- Oppose trial lawyer attempts to dramatically increase the "cap" on damages in medical malpractice cases (**HB 237, SB 505**);
- Resist trial lawyer efforts to weaken Certificate of Merit requirements for filing of medical malpractice cases;
- Support a more effective apology law (**SB 906**);
- Support limits on medical malpractice attorney fees; and,
- Support legislation to create an OB medical injury/no fault liability fund (**HB 283**).

PUBLIC HEALTH: MedChi will advocate for continued improvements in Maryland's public health agenda.

- Work to preserve funding for the growing number of uninsured;
- Ban text messaging while driving (**HB 72, HB 323, SB 98, SB 103, SB 143**); and,
- Work to remove criminal penalty directed at doctors who are unable/unwilling to participate during a public health emergency.

SCOPE OF MEDICAL PRACTICE: MedChi will fight to assure that all patients have access to physicians and that physician extenders have appropriate training and physician oversight (**HB 250, SB 759**).

COORDINATED ACTION WITH ALLIED AND SPECIALTY GROUPS:

- Support efforts to assure that physicians administering vaccines are reimbursed for all associated costs; and,
- Correct the unintended consequences of a 2007 law denying physicians the right to bill for pathology services in their offices (**HB 1150**).