

**FOR THE 2023 MARYLAND GENERAL ASSEMBLY LEGISLATIVE SESSION, WE ACHIEVED SIGNIFICANT VICTORIES ON BEHALF OF ALL MARYLAND PHYSICIANS AND PATIENTS:**

**MEDCHI PROTECTED PHYSICIAN SERVICES, PAYMENTS, AND THE PRACTICE OF MEDICINE**

- Maintained funding of Medicaid E&M payments at the current level, resulting in payments for the first time being higher than Medicare.
- Changed the requirement for hospitals to re-credential physicians to every three years instead of every two years.
- Removed the requirement that a health care practitioner must have a Social Security number by allowing a health care practitioner to use the practitioner's Individual Taxpayer Identification Number as a condition for licensure, certification, or registration.
- Amended the law to allow the Maryland Board of Physicians to recognize retired physicians as "Emeritus" rather than "Inactive".
- Streamlined the use of third-party agreements between patients, pharmacists, and physicians.
- Defeated legislation allowing false claims lawsuits to be continued by a person, even after the State of Maryland elects to not pursue the claim.
- Defeated legislation that would repeal the cap on non-economic damages in cases NOT involving health care claims.
- Defeated legislation that would have inappropriately expanded the authority of Director of the Health Care Alternative Dispute Resolution Office.
- Required step-therapy exceptions to be granted if, based on the professional judgment of the prescriber, the step therapy drug is detrimental to the patient under several specified circumstances.
- Blocked legislation to permanently expand the scope of practice for a pharmacist to order and administer vaccinations.
- Protected Maryland physicians from out-of-state investigations and penalties related to delivering legally protected reproductive care.

**MEDCHI PROTECTED AND EXPANDED PATIENT ACCESS TO CARE**

- Expanded coverage and eliminated cost-sharing requirements for breast and lung cancer screenings.
- Required health insurance carriers, beginning January 1, 2024, to provide coverage for biomarker testing.
- Continued to facilitate program enrollment in Medical Assistance.
- Advocated for health care and dental coverage for non-citizens.
- Ensured that Marylanders will continue to receive health care through telehealth and that physicians will be properly paid for providing telehealth services.
- Protected reproductive freedom and health care services.
- Expanded Medicaid benefits to cover gender-affirming care.

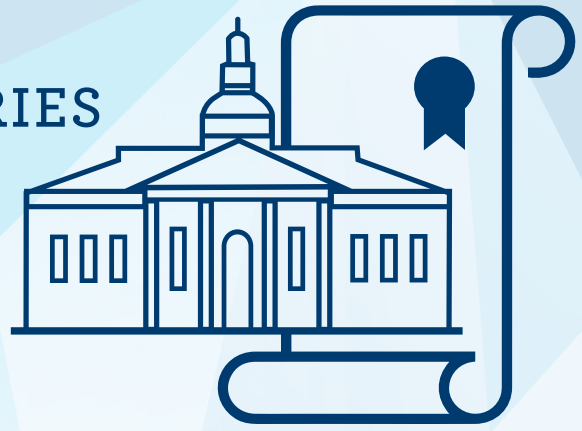
**MEDCHI ADDRESSED BEHAVIORAL HEALTH TREATMENT AND RECOVERY NEEDS**

- Expanded Medicaid reimbursements to cover behavioral health services delivered in primary care settings through the Collaborative Care Model.
- Increased access to comprehensive community based mental health and substance use care by expanding Maryland's network of Certified Community Behavioral Health Clinics.
- Assisted in establishing the Behavioral Health Value-Based Purchasing Pilot Program, an intensive care coordination model using value-based purchasing in the specialty behavioral health system.
- Established the Behavioral Health Workforce Investment Fund to educate, train, certify, recruit, place, and retain behavioral health professionals and paraprofessionals.
- Supported funding in the Fiscal Year 2025 Budget to the 9-8-8 Trust Fund.
- Established the Access to Mental Health Advisory Committee within the Maryland Higher Education Commission to increase mental health services on higher education campuses.
- Worked with the Maryland Department of Health to develop and implement a public awareness campaign to encourage the use of mental health advance directives in the State of Maryland.

**MEDCHI STRENGTHENED PUBLIC HEALTH INITIATIVES**

- Required the Maryland Department of Agriculture, in consultation with the Maryland Department of the Environment, Maryland Department of Health, and the U.S. Environmental Protection Agency, to study the use of PFAS in pesticides in the State of Maryland.
- Required the adoption of regulations related to mold assessment and remediation.
- Ensured that equity be considered during the development of transportation planning.
- Established a Commission on Public Health to make recommendations to improve the delivery of "foundational public health services" in the State of Maryland.
- Established a Rare Disease Advisory Council to enhance research and provide policy recommendations on matters related to individuals living with rare diseases in the State of Maryland.

# 2023 LEGISLATIVE AND REGULATORY VICTORIES



As the statewide professional association for licensed physicians, we are dedicated to our mission to serve as Maryland's foremost advocate and resource for physicians, their patients, and the public health.

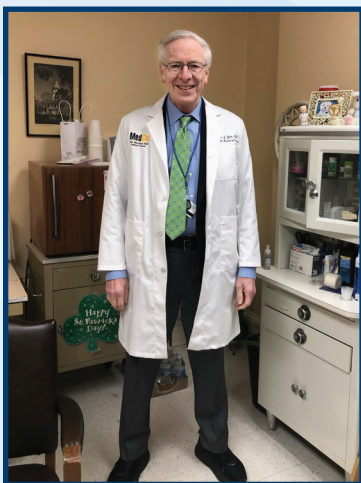
## WHAT'S AHEAD: HARD WORK ON BIG ISSUES

### PRIOR AUTHORIZATION

This Legislative Session, MedChi successfully convened a coalition of over fifty organizations, representing physicians, health care practitioners, patient advocacy groups, and manufacturers to support a package of reform bills on step therapy, utilization review/prior authorization, and "any willing practitioner," all of which were opposed by the insurance industry. The Maryland General Assembly passed Senate Bill 515/House Bill 785: Health Insurance – Step Therapy or Fail-First Protocol and Prior Authorization – Revisions, which will require health insurance carriers to adopt a policy to approve a step therapy exception request if, based on the professional judgment of the prescriber, the step therapy drug is detrimental to the patient. Legislation on comprehensive utilization law reform did not pass, but commitments were made to MedChi by the House and Senate Committees for work to continue over the interim in anticipation of legislation returning next Legislative Session. **All in all, this Legislative Session brought about positive changes and elevated the issue of utilization law reform for the new and returning legislators. MedChi applauds the work of our members who sent over 2,200 emails to legislators highlighting the damaging effects that utilization review has on patients and the ability to provide quality patient care.**

### MEDICAL MALPRACTICE

Legislative deliberations over the course of this Legislative Session were very concerning and make clear that many of the newer members of The Maryland General Assembly need to be informed and educated by physicians about the importance of a stable medical malpractice insurance environment and why it is important for patients' access to care. Although we successfully thwarted legislation this year that would have removed the limit on non-economic damages (pain and suffering), we expect to see additional legislation in the near future seeking to remove the cap and make other trial-lawyer inspired changes to Maryland's tort system. **MedChi will focus its legislative efforts on ensuring that changes to our tort laws do not force physicians out of Maryland.**



MedChi President Dr. James J. York volunteering as the MedChi Physician of the Day in MedChi's State House First Aid Room.



While volunteering as the MedChi Physician of the Day, Dr. Marie-Alberte Boursiquot treats Senator Cheryl Kagan in our First Aid Room.



MedChi CEO, Gene Ransom, and several medical students meet with Maryland Governor Wes Moore during the MedChi Medical Students' advocacy day in Annapolis.