

MEDCHI, THE MARYLAND STATE MEDICAL SOCIETY  
HOUSE OF DELEGATES

CL Report 2-13

INTRODUCED BY: Council on Legislation

SUBJECT: Review of 2013 Legislative Agenda

REFERRED TO: Reference Committee B

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Every year the Legislative Council reviews the prior year's legislative agenda and decides which issues shall remain a priority for the following year.

RECOMMENDATIONS:

- 1. IMPROVE THE DISCIPLINARY PROCESS OF THE BOARD OF PHYSICIANS:** MedChi will work to enhance the legal protection for physicians to ensure that the Board's disciplinary process is fair, transparent, and results in the consistent and efficient resolution of complaints with adequate due process protections.

Legislative Council recommendation: **ACCOMPLISHED**

- 2. STRENGTHEN MEDICAL LIABILITY REFORM:** MedChi will continue to strongly oppose trial lawyer attempts to increase the "cap" on damages in medical malpractice cases and to abolish the defense of contributory negligence; support efforts to establish a pilot project for specialized health courts and to limit repeated continuances in medical malpractice cases; and otherwise work to protect and strengthen the legal liability environment for physicians in Maryland.

Legislative Council recommendation: **CONTINUE**

- 3. ENHANCE PHYSICIAN PAYMENT AND INSURANCE REFORM:** MedChi will continue its efforts to improve Maryland's payment climate with these initiatives:
  - Improve the current PIP automobile insurance law to increase payment for medical services; **CONTINUE**
  - Broaden Maryland's Electronic Health Records (EHR) law to require that monetary incentives apply to all physicians, not just primary care physicians; **CONTINUE**
  - Work to assure that Maryland physicians have significant input into the design of bundled or packaged payment systems for hospital services that include physician

services to ensure any proposed system has a positive impact on physicians.  
**CONTINUE**

- 4. STRENGTHEN CRIMINAL LAW:** Support increase of criminal penalty for an individual who assaults a physician, nurse or health care worker in the course of delivering care.

Legislative Council recommendation: **CONTINUE**

- 5. DEFEND THE SCOPE OF MEDICAL PRACTICE SO PATIENTS ARE SEEN BY A PHYSICIAN:** MedChi will fight to ensure that all patients have access to physicians and that physician extenders have appropriate training and physician oversight. The new federal health reform law will place unprecedented demands on the health care system as thousands of newly insured individuals seek physicians. It is important that these new patients find physicians and that non-physicians do not use this as an opportunity to increase their scope of practice without adequate education and training.

Legislative Council recommendation: **CONTINUE**

- 6. PROTECT MEDICAID AND THE UNINSURED:** MedChi will work with the Maryland Medicaid program to incentivize physician participation and continue to work to protect the integrity of the Medicaid program with respect to eligibility, benefits and physician payment. MedChi will also work to ensure that the Medicaid program can accommodate the thousands of new patients who will be enrolled with the implementation of federal health reform and that an adequate safety net remains for those individuals who remain uninsured.

Legislative Council recommendation: **CONTINUE**

- 7. REFORM UNFAIR INSURANCE PRACTICES:** MedChi will work to reform unfair insurance practices by supporting initiatives which:
  - Require health insurers to clearly identify a member's Rx plan on their insurance card and online; **CONTINUE**
  - Require health insurers to honor a physician directed therapy or medicine regardless of the insurer's normal "step therapy"; **CONTINUE**
  - Require health insurers to provide specific information on the cost of medical tests prior to testing. **ACCOMPLISHED**

- 8. MAKING MARYLAND A TOBACCO FREE STATE:** MedChi will advocate for continued increases in the Tobacco Tax in order to discourage smoking and support legislation prohibiting the sale of tobacco products by businesses which provide health care or dispense medications.

Legislative Council recommendation: **CONTINUE**

- 9. PROTECTING MARYLAND'S CHILDREN:** MedChi will support initiatives to protect children including:
- The support of initiatives including legislation to address childhood obesity with an emphasis on proactive programs in Maryland schools; **CONTINUE**
  - The support of efforts of the Maryland Department of Health and Mental Hygiene to decrease minors' use of commercial tanning beds; **CONTINUE**
  - The support of the efforts of the Maryland Department of Health and Mental Hygiene to ban the sale of crib bumpers. **ACCOMPLISHED**

- 10. ENDING HEALTH DISPARITIES:** Continued support of legislative and regulatory initiatives to reduce health disparities such as Health Enterprise Zones.

Legislative Council recommendation: **CONTINUE**

- 11. EMERGENCY PREPAREDNESS:** Support of initiatives to prioritize medical offices in power blackouts.

Legislative Council recommendation: **ACCOMPLISHED**

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As adopted by the House of Delegates at its meeting on September 21, 2013.