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## Idaho Special Legislative Session Update

The Idaho legislature convened a special session on August 24 and concluded on August 26.

Lawmakers approved three bills which Gov. Little has since signed into law. The three-day session was remarkable for the disruption caused by protestors who damaged public property by physically forcing their way into areas that had limited capacity due to COVID-19 social distancing guidelines. A handful of

arrests occurred for trespassing and resisting police officers. Fortunately, no one was injured and the legislature was ultimately able to carry out its business.

**The IMA is very pleased that the governor signed HB 6, the Coronavirus Limited Immunity Act, into law.** Thank you to the many IMA members who contacted their legislators to voice your support of this bill, you have made a significant impact on the liability environment in Idaho. The IMA is extremely grateful to IMA's long-time legal counsel and led lobbyist, Ken McClure, JD who led the charge and was singularly instrumental in making this bill possible. The legislation provides immunity to anyone, including hospitals and doctors, for claims against them that arise from exposure or transmission of coronavirus unless it occurs because someone was reckless or committed an intentional tort.

To view the entire HB 6 legislation, click [here](#). In summary, HB 6:

- Applies to **ALL** claims of exposure and transmission of coronavirus except those involving intentional torts and willful and reckless misconduct
- Does **NOT** require a declaration of emergency by the governor
- Does **NOT** give immunity to the state government (except for higher ed)
- **DOES** give immunity to schools, cities, counties, churches, businesses and individuals

The governor also signed two bills regarding the November general election. HB 1 guarantees that in-person voting will be allowed in some form across Idaho as an option to voters. SB 1001 essentially buys more time for county clerks to process the expected large influx of mail-in ballots.

## **IMA's New Reimbursement Partner: Gill Compliance Solutions**

The IMA wants to provide you, our members, the best benefits possible to assist with third-party payer issues so you can have the tools you need to run a successful practice. That's why we have decided to partner with [Gill Compliance Solutions](#) to provide you with expert resources as an exclusive IMA member benefit! Gill Compliance is based in Idaho and has decades of experience providing coding and billing support, compliance audits, provider education and much more to Idaho medical practices.

IMA is committed to sustaining our high level of member service, so you can direct any reimbursement or other payer-related questions or requests to the IMA by calling 208-344-7888 or emailing [rebecca@idmed.org](mailto:rebecca@idmed.org). Gill Compliance will then quickly respond and provide you with their expert knowledge and resources to help solve your issue. Jana Weis, DipCom, CPC, Principal, Gill Compliance Solutions, will be conducting the IMA education webinars as well. We look forward to this new partnership to continue to provide you the best resources for your practice!

## **IMA Webinar Education Series**



## Challenges and Changes Series: The New Frontier of E/M Coding - Breaking Down the 2021 Guidelines (1 CEU)

Wednesday, September 16, 2020, 12:15 – 1:15 pm (MT)

We are excited to announce that this webinar title has been updated to, “Challenges and Changes Series - The New Frontier of E/M Coding - Breaking Down the 2021 Guidelines.” Here is a brief overview of what will be discussed:

- Patients over Paperwork initiative - The CMS initiative to reduce the burden of documentation
- 2021 E/M Updates - Comparison of present to future E/M criteria for new and established patients; this will also cover time-based services
- Questions by participants

Register today to join IMA Reimbursement Consultant Jana Weis, DipCom, CPC, Principal, Gill Compliance Solutions on September 16. Don't miss this valuable webinar! This webinar will be presented via Zoom and dial-in instructions as well as any presentation materials will be emailed to you the day before the webinar. A registration form is available at [idmed.org](http://idmed.org). Questions? Contact the IMA at 208-344-7888 or [rebecca@idmed.org](mailto:rebecca@idmed.org).

## Virtual 128th IMA Annual Meeting of the House of Delegates

The banner features a background image of a stethoscope and a laptop keyboard. On the left, the text reads "Join Your Colleagues VIRTUALLY!". On the right, a dark blue box contains the text "IMA ANNUAL MEETING" in large white letters, "OCTOBER 9, 2020" in smaller white letters, and "Register at IDMED.ORG" in white letters. A blue graphic element consisting of three slanted lines is positioned between the text on the left and the blue box.

It's time for you to register for the VIRTUAL 128th IMA Annual Meeting of the House of Delegates! Mark your calendars for **Oct. 9, 2020**. Easily register at [www.idmed.org](http://www.idmed.org).

Don't miss featured speaker Rosemary Gibson author of *China Rx: Exposing the Risks of America's Dependence on China for Medicine*. *China Rx* was selected by the National Press Club for its 2018 book fair. Gibson is Senior Advisor at the Hastings Center and an editor for JAMA Internal Medicine.

With a virtual HOD meeting, things will be different this year. Although the HOD meeting will take place on Oct. 9, most of the input and testimony will be submitted in the weeks prior. Do not miss out on the opportunity to take part in the HOD process, **please take note of the [guidance and procedures outlined below](#) and pay close attention to deadline reminders from the IMA in the coming weeks.**

Register Today!

# Virtual 128th IMA Annual Meeting

## GUIDANCE AND PROCEDURES



### VIRTUAL REFERENCE COMMITTEE



On **Sept. 9**, the and House of Delegates (HOD) packet will be posted on the IMA website. ALL IMA members will have until **Sept. 24** to review the proposed reports and resolutions and provide comments via a Virtual Reference Committee (VRC) process.

VRC is an online tool that allows IMA delegates and members to provide written testimony and comments regarding all proposed resolutions and reports. As with the in-person process, individuals can voice their support, opposition and suggestions for amendments for each proposal. After the VRC comment period closes, no further input or testimony will be considered.



### REFERENCE COMMITTEE MEETS AND MAKES REPORT

An appointed Reference Committee will then meet on **Sept. 29** to consider all the input given through the VRC process and develop a Reference Committee Report that gives recommendations on each item of business for the consideration of the HOD on Oct. 9.



### REFERENCE COMMITTEE REPORT POSTED AND REVIEW PERIOD BEGINS

The finalized Reference Committee Report will be posted on the IMA website on **Oct. 5** and emailed to all delegates. Because each recommendation will be voted on during the official HOD meeting on Oct. 9, delegates are strongly urged to review the report in advance of the video meeting. Should any delegate wish to suggest an amendment to an item in the report, a written form must be submitted. Amendment forms will be available on the IMA website and must be submitted by **Oct. 8**.



### HOD REVIEW AND ADOPTION OF THE REFERENCE COMMITTEE REPORT

As is done at the in-person HOD meeting, the Reference Committee Chair and Speaker will address each recommendation from the Reference Committee Report and ask for a virtual vote by the HOD on **Oct. 9**. There will be an opportunity for delegates to request that items be removed from a consent calendar for discussion. Although it is **not** encouraged for logistical reasons, delegates may also submit written amendments via email for staff consideration during HOD.

Register for the IMA Annual Meeting and get more information at [idmed.org](http://idmed.org)

## 2020 QPP eCQM Scoring Issue

The Centers for Medicare & Medicaid Services (CMS) is alerting physicians to an issue that impacts electronic clinical quality measure (eCQM) scoring during the 2020 performance year. eCQMs are used in several programs, including the Quality Payment Program and MIPS. The issue relates to the timing values for three quality measures. This issue has the potential to impact measure scoring when certain time values are not present in the input data. The erroneous calculation may result in an increase or decrease of cases that fall in the measure population.

### Impacted Measures

- CMS128v8 Anti-depressant Medication Management
- CMS146v8 Appropriate Testing for Children with Pharyngitis
- CMS56v8 Functional Status Assessment for Total Hip Replacement

CMS has published updated measure packages to correct the issues for all three impacted eCQMs. The updates are available on the [Electronic Clinical Quality Improvement \(eCQI\) Resource Center](#). Physician practices that are reporting on the measure(s) should contact their EHR vendors to see if EHR system updates are warranted. Additional details and measure specific information can be reviewed in the [ONC eCQM Known Issues Tracker](#).

## 2021 Medicare Physician Fee Schedule

As you know, the Centers for Medicare & Medicaid Services released its proposed rule for the 2021 Medicare Physician Fee Schedule on August 3. The American Medical Association has been conducting a thorough analysis of the proposed rule. [Click here for a detailed summary of its contents.](#)

Read this AMA article for more information: [Proposed 2021 Medicare pay schedule: 9 things doctors should know.](#)

## IMAFS Financial Tip: What History Tells Us About Elections and the Market

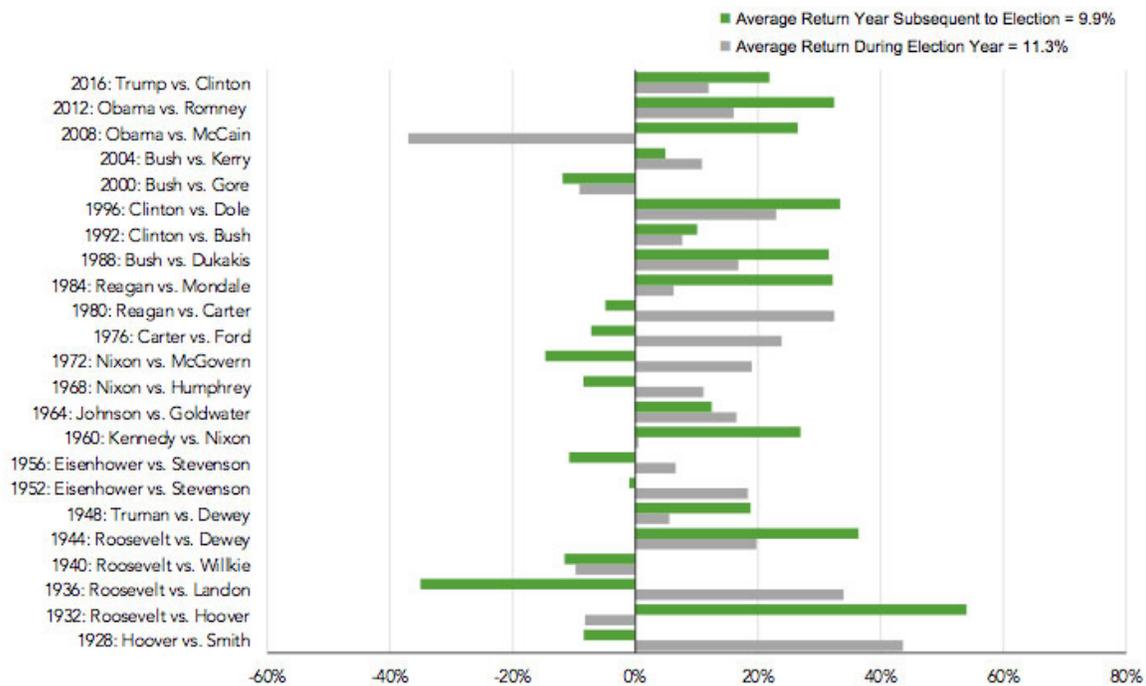
As the Democratic and Republican National Conventions have concluded, we are nearing the Presidential election in November. Many think that a certain election outcome may significantly affect stock market valuations one way or the other. It is extremely difficult to identify systematic return patterns in election years. For some, this can cause worry or fear.

However, on average, market returns have been positive both in election years and the subsequent year (see chart 1 below). Additionally, there is strong data looking back to 1926 that suggests capturing the long-term returns of the capital markets does not depend on which party controls the White House (see chart 2 below). At IMA Financial Services we help our clients worry less about short-term market fluctuations and focus on achieving long-term success. We are your trusted fiduciary experts!

Your IMA membership includes an initial no-cost tax evaluation with an IMAFS advisor. Contact IMAFS today at 208-336-9066 or [IMAFS.org](http://IMAFS.org).

## Returns During and After Election Years

S&P 500 Index: 1928–2017



Indices are not available for direct investment. Their performance does not reflect the expenses associated with the management of an actual portfolio. Past performance is not a guarantee of future results. Index returns are not representative of actual portfolios and do not reflect costs and fees associated with an actual investment. Actual returns may be lower. Source: S&P data © 2019 S&P Dow Jones Indices LLC, a division of S&P Global. All rights reserved.

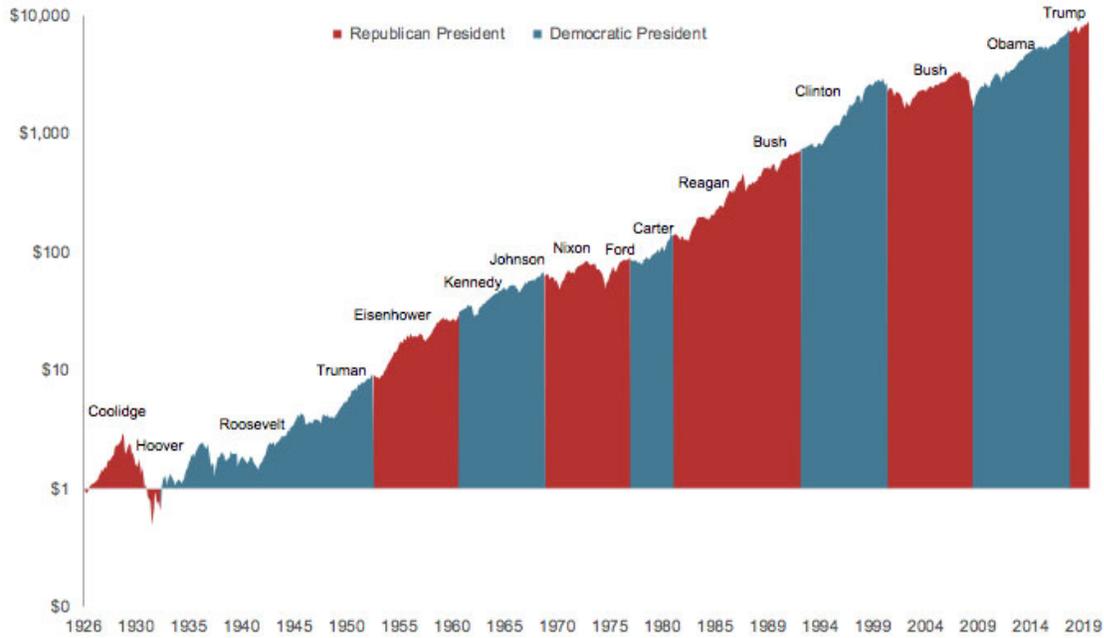
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Chart 1

# Markets Have Rewarded Long-Term Investors under a Variety of Presidents

Growth of a Dollar Invested in the S&P 500: January 1926–December 2019



Past performance is not a guarantee of future results. Indices are not available for direct investment; therefore, their performance does not reflect the expenses associated with the management of an actual portfolio. Source: S&P data © 2020 S&P Dow Jones Indices LLC, a division of S&P Global. All rights reserved.

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Chart 2

## Preparing for the Idaho Patient Act in 2021

The Idaho Patient Act (Melaleuca Legislation) was signed into law at the end of the 2020 legislative session. This legislation is an ambitious effort to revamp physician and hospital billing processes in response to concerns about medical debt collection practices. IMA spent extensive time and effort to work with Melaleuca to remove the most burdensome provisions from the legislation. Most of IMA's concerns have been addressed, but some were not.

The effective date of the bill is January 1, 2021, but compliance preparation may take a significant amount of time. IMA urges physicians and their medical practice managers to carefully assess the provisions of the legislation to determine how compliance can occur, and to document situations of significant added expense, if any. Please continue to bring specific issues of concern to our attention.

The IMA has put together an [Idaho Patient Act preparation guide for practices](#).

## Holland & Hart Health Law Webinar: Tips for Complying with the Idaho Patient Act

The newly enacted Idaho Patient Act, which becomes effective January 1, 2021, seeks to protect patients against unfair medical debt collection practices. This legislation imposes procedural requirements that healthcare providers must satisfy before they can engage collection agencies or initiate litigation to collect unpaid medical bills. This free webinar will cover the following elements of the Idaho Patient Act:

- Notice and billing requirements
- What constitutes an “extraordinary collection action” under the statute
- Limitations on the imposition and collection of fees
- Potential consequences of non-compliance

When: Thursday, September 17, 2020 12:00-1:00 PM MDT

Speaker: Lisa Carlson

[REGISTER HERE](#)

## Board of Medicine Appointment Nominations

Currently, there is a position open on the Idaho State Board of Medicine. Idaho law allows the Idaho Medical Association to recommend three physicians for this position to the Governor for appointment. The Governor then makes the appointment for a six-year term from the names submitted by the IMA, although he does also have the authority to appoint a physician of his choosing. The Board of Medicine has asked that we give special priority to physicians who practice in:

- **Obstetrics and Gynecology (OB/GYN)**

A seat on the Board of Medicine is an important and honorable position, and IMA encourages your involvement. The time commitment includes a one-day meeting held in Boise four times per year, plus additional hours of document review. All expenses are reimbursed. Qualified applicants must be licensed, work and live in Idaho.

If you are interested in serving in this capacity, please send the following information to the IMA. Incomplete packets will not be considered.

1. [This form](#), signed and dated.
2. An updated Curriculum Vitae.
3. A brief statement (200 words or less) describing why you wish to serve on the Board of Medicine, and why your expertise and experience makes you a quality candidate.

**Please respond by Sept. 4.** Materials can be emailed to [susie@idmed.org](mailto:susie@idmed.org) or faxed to 208-344-7903. All names will be reviewed by your local medical society president or president-elect for input prior to

submitting the list of candidates to the IMA Board and then onto the Governor. Thank you for your continued support and participation. Please feel free to ask any questions by calling 208-344-7888 or emailing [susie@idmed.org](mailto:susie@idmed.org).

## **Mandatory PDMP Check Takes Effect Oct. 1**

This 2020 legislative session, Gov. Little signed senate bill 1348 into law which requires prescribers to check the Idaho Prescription Drug Monitoring Program (PDMP). The mandatory check requirement will go into effect on **Oct 1, 2020**.

In preparation for this implementation date, the Idaho Board of Pharmacy (BOP) is initiating statewide Gateway integration. Providers and healthcare facilities that have already integrated Gateway into their workflow express satisfaction with the ease and convenience of being able to access the PDMP in this way. There will be no charge to providers or facilities to connect. Interfaces are already built for 130 hospital, pharmacy and clinic software programs. BOP looks forward to working with you as Gateway integration rolls out across the state. If you have questions about the Gateway integration process please contact Teresa Anderson at [Teresa.anderson@bop.idaho.gov](mailto:Teresa.anderson@bop.idaho.gov). Questions relating to mandatory checking can be sent to BOP Executive Director, Nicki Chopski at [Nicki.chopski@bop.idaho.gov](mailto:Nicki.chopski@bop.idaho.gov).

## **AMA Asks FDA for Increased Transparency with Physicians on COVID-19 Vaccine Development**

The American Medical Association (AMA) [sent a letter to U.S. Food and Drug Administration \(FDA\)](#) Commissioner Stephen Hahn asking for close collaboration with the physician community as the FDA works to review COVID-19 vaccine candidates. Stressing that vaccine hesitancy is likely to be a significant barrier to widespread vaccination once a vaccine is available, the AMA asked the FDA to provide physicians with a high level of transparency around the FDA's approval process, standards for review, and safety and efficacy data available for vaccine candidates.

The letter also urges FDA to collaborate with the AMA and the broader physician community to develop outreach and education opportunities for physicians regarding the vaccine process. As several vaccine candidates move rapidly towards FDA authorization, both physicians and the public have questions about the safety and efficacy of any potential vaccine. The AMA continues to closely monitor the vaccine development and review process and work with federal regulators to ensure COVID-19 vaccines are safe and efficacious and to limit vaccine hesitancy.

## **Pre-Order Your 2020 Coding, Billing and Essential Reference Guides Today!**

Who doesn't want to accurately increase reimbursement and work with the secure knowledge that your claims are coded correctly? Your staff needs the most accurate coding and billing information and, as an IMA member, you're offered the membership benefit of discounted coding books.

The CPT® Professional 2021 Edition from AMA provides guidelines and illustrations that other publishers may not provide and includes information that is helpful in determining that the most accurate code is submitted for the procedure or service performed. We also offer Optum 360° to include Optum's CPT® coding book. The Optum CPT® book costs less than the AMA book and is a good coding resource to have for additional coders.

**New This Year:** The E/M Office Visit Compendium 2021. CPT® E/M (Evaluation & Management) codes are changing significantly for office visits for the 2021 code set year. Be sure to purchase this valuable resource for understanding changes to CPT® coding for office and outpatient visits.

IMA offers resources that are focused on specialty coding, such as procedures in cardiology, gastroenterology, OB/GYN and dermatology. We also provide resources that explain modifiers and how they should be used as well as MACRA, HIPAA and more.

IMA is now accepting pre-orders for 2021 coding books: [Click here to pre-order 2021 coding resources.](#)

If you would like to inquire about a specific book that is not featured here, please contact Rebecca Adams at [rebecca@idmed.org](mailto:rebecca@idmed.org) or 208-344-7888. Books will be shipped once they are released from the publisher.



**Idaho Medical Association**

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