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THE IMA's  
POLITICAL ACTION  
COMMITTEE!

Idaho's Primary Election is May 15, 2018. This early-year election is pivotal, as it is likely to determine Idaho's next Governor, Lieutenant Governor, Secretary of State, Attorney General, and a majority of Legislators, as well as Idaho's 1<sup>st</sup> Congressional District Representative.

This is truly a watershed election that WILL change the face of politics in Idaho – either for the better or the worse. The IMA Political Action Committee (IMPAC) Board uses your contributions to support a variety of bi-partisan candidates based on the best interests of Idaho physicians and their patients.

**IMPAC NEEDS YOUR CONTRIBUTIONS NOW TO SUPPORT THE HOUSE OF MEDICINE IN IDAHO!**

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## Idaho Medical Association

### 2018 LEGISLATURE: IMA STATUS REPORT *Week of January 8, 2018*

#### 2018 LEGISLATIVE ACTIVITY KICKED OFF THIS WEEK

**Ten-Year Plan for GME Expansion:** On Jan 10, the Idaho State Board of Education presented its ten-year GME expansion plan to the Joint Finance and Appropriations Committee (JFAC). At full build-out, the plan would increase the number of GME programs in Idaho from nine to 21, and increase the number of Idaho medical residents from 141 to 356. Implementation of the first year of the expansion plan includes a \$5.239M state funding request. Unfortunately, Governor Otter did not include the full cost of the plan in his budget. However, IMA is hearing strong support from legislators, and the legislature has the authority to set the budget on GME expansion. This article gives a great overview of the current status: <http://www.spokesman.com/stories/2018/jan/10/idaho-lawmakers-mull-ambitious-plan-to-address-sta/>.

**Closing the Coverage Gap:** The Idaho Department of Health and Welfare is considering a two-pronged proposal that would allow a flexible approach to covering at least a portion of Idahoans in the coverage gap. The plan is being referred to as the Idaho Health Care Plan or the "dual waiver proposal." This proposal is NOT Medicaid expansion. It is a plan to restructure existing resources to better cover those in need. More details will be forthcoming.

**Idaho Board of Pharmacy Prescribing Rules Affirmed by Legislature:** In 2017, the legislature passed HB 191 giving the Board of Pharmacy (BOP) broad latitude to determine pharmacists' prescribing authority. Over the strong objections of IMA and the Idaho Board of Medicine, BOP proposed new administrative rules that allow unprecedented authority for pharmacists to independently diagnose and treat patients for potentially serious conditions. On Jan 10, both the House and Senate Health & Welfare Committees approved those rules.

IMA contended the BOP's rules exceed statutory authority that limits pharmacists prescribing to conditions that:

1. Do not require a new diagnosis;
2. Are minor and self-limiting;
3. Have a CLIA-waived test; or
4. Threaten the health or safety of the patient if not treated immediately.

BOP's rule will grant pharmacists the ability to diagnose and prescribe for complicated conditions and drugs such as statins for patients using diabetes medications (not requiring diabetes to be previously diagnosed), and treatments for uncomplicated urinary tract infections (not requiring a CLIA-waived test).

IMA obtained outside legal opinions confirming the rules proposed exceed statutory authority and shared that information with members of the

House and Senate Health & Welfare Committees. As a result, the BOP agreed to issue a temporary rule to alter the language and clarify that pharmacists can only prescribe statins for patients with previously diagnosed diabetes. There were no changes to limit pharmacists' ability to diagnose uncomplicated UTIs.

While IMA is disappointed with the Health & Welfare Committees' decision to approve a rule that exceeds statutory authority where patient safety is concerned, we are pleased that the BOP has acknowledged this overstep and agreed to correct it.

**Prior Authorization Simplification:** On Jan 5, IMA met with the Idaho Department of Insurance and the state's insurers and other stakeholders to start a process to remove at least some of the burdens on physicians and patients from prior authorization processes. A workgroup is being formed to work on consensus changes. If the Department of Insurance discussions do not bear fruit, we will consider legislation.

**Balance Billing:** A legislator is planning to introduce legislation to ban or limit balance billing for out of network services. IMA attorneys and lobbyists are fighting to protect your interests and the interests of your patients. A meeting is scheduled next week with proponents of the bill and the Idaho Department of Insurance to discuss amendments to the draft legislation.

**Immunity for Physician Volunteers:** IMA is introducing legislation on Jan 15 to provide additional immunity for physicians who volunteer at community screening events. Currently, many physicians' professional liability insurance does not cover them for volunteer screening events offsite from their regular practice. To encourage more volunteerism, IMA is seeking limited immunity for volunteer activities.

## **WEEKLY REPORTS ON LEGISLATIVE ACTIVITY**

As always, the IMA will provide weekly electronic legislative reports during the session. If you have questions or concerns on any of the issues discussed in our reports, please contact us. We are always happy to provide context, additional information, or background on how IMA legislative policies are developed.

If we don't have your current email address you could miss out on important legislative news. If you would like to receive the reports, please send your current email address to [membership@idmed.org](mailto:membership@idmed.org) or call us at (208) 344-7888. For more frequent legislative updates, follow the IMA on Facebook!