



# HOT TOPICS IN NORTH CAROLINA HEALTH POLICY

North Carolina Medical Group Managers Association

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EXPECT EXCELLENCE®

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## Overview

- Liability
- Scope of Practice
- Health Insurance
- Medicaid
- Professional Regulation

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# COVID-19 Liability Protections

- North Carolina Law
  - “Any health facility, health provider, or entity that holds legal responsibility for a health professional shall have immunity from any civil liability for any harm or damages alleged to have been sustained as a result of an act or omission in the course of providing health services as a response to COVID-19.”
- Media articles/plaintiffs lawyer opposition.
- Protections end six months after end of COVID Emergency Order.

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# Scope of Practice APRN Legislation

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- The SAVE Act
  - HB 277/SB 249
  - More sponsors in 2021
- Major push to include SAVE Act in Access Committee discussions (Medicaid expansion)
- BCBSNC Support
- Short Session Issue?



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# Scope of Practice Physician Assistant Legislation

- Physician Assistant-Team Based Practice
  - SB 345 (Passed Senate, held in House)
  - NCMS Task Force discussions
- Key Issues
  - Defining Team-Based Practice
  - Amount of Experience
  - Maintain supervision requirement for perioperative process (anesthesia, surgery)

“(e) Notwithstanding any other provision of this Chapter, a physician assistant practicing in a perioperative setting, including the provision of surgical or anesthesia-related services, shall be supervised by a physician.”

# Health Insurance

- Exclusive Provider Organization (“EPO”)
  - Senate Bill 228: Allow Employers to Offer EPO Benefit Plans
  - Authorizes new narrow network products
- Telehealth
  - House Bill 149: Improving Access to Care Through Telehealth
  - Passed the House on May 6, 2021, and remains in Senate Rules
  - Access Committee Discussions

## Health Insurance (cont'd)

- Federal No Surprises Act Implementation
  - Interim Final Rule
    - Implementation blocked by federal judge (TMA lawsuit)
    - AMA litigation ongoing
  - NC Market Reaction
  - Practical Implementation Issues
    - Setting of QPA (Qualifying Payment Amount) in NC markets

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## Health Insurance (cont'd)

- Surprise Medical Billing (State Level)
  - Insurer efforts to create state law (favoring insurers) in 2021
    - SB 415 (Rate Setting)
    - SB 505 (Notice Requirement)
  - Policy NOT included in final budget, but risk in Short Session
  - Prospect of pro-provider state law in future?
    - Network inadequacy issues with major insurers
    - Lack of DOI action

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## Medicaid Expansion

- Joint Legislative Committee appointed to discuss access to care, including Medicaid expansion
  - Openness in Senate
- Committee included other topics: SAVE Act; CON; Telehealth
- No recommendation prior to Short Session

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## Medicaid Managed Care

- Implementation in July 2021
- Ongoing Implementation Issues
  - Claims Payment
  - Utilization Management
  - Prescription Drug List
- Budget Deficit
  - COVID
  - Federal Law Freezes Redeterminations = Extra 400,000 Beneficiaries

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## Professional Regulation

- Senate Bill 380: Interstate Medical Licensure Compact
  - Referred to Senate Rules
  - Short Session Opportunities?
  - Helps with Telehealth Issues
- Senate Bill 462: CON/Threshold Amendments & Certificate Expirations
  - Session Law 2021-129
- Medical Marijuana (SB 711)
  - Passed Senate committees but not full Senate
  - Short Session?

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## Get Involved

- Meet Your Local Legislator
  - Become a “Trusted Source”
- Support Candidates Who Support Good Health Policy
  - Physicians Running for Legislature
  - Other Allies

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**Thank you!**

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