

Legislative Report

Richard Bridges, MD – Chairman, Legislative and Advocacy Committee

On Monday, June 1, 2020, the Regular Legislative Session adjourned sine die and the first Special Session convened - one minute apart. Everyone recognizes that as a state we've been navigating uncharted waters as we have attempted to balance progress with COVID-19 restrictions. For the Legislature, those restrictions equated to a 49-day recess halting business. During those 49-days we lost Rep. Reggie Bagala, the Freshman legislator from Lafourche Parish, to COVID-19 on April 9. We also saw the state's originally proposed budget eviscerated with no real prediction of what a new post-pandemic budget might look like. Even today, as the legislature works towards a new and uncertain budget that must be in place prior to the state's fiscal year end of June 30, questions remain. It's no coincidence that the stated adjournment date and our fiscal year end are the same. In an unusual turn of events, the Legislature called themselves into this Special Session rather than the Governor, as is traditional. Lawmakers from all sides seem certain that there will be a need for budget changes, as well as, clean up legislation from varying actions that have been or will be required due to COVID-19 in a Fall Special Session.

Our legislative committee met before and during the session to set priorities and define specific positions on bills that we were following. We worked effectively on issues with other organizations, both healthcare and non-healthcare, and communicated with the Louisiana State Medical Society, LA Chapter of the American Academy of Pediatrics and Medicine Louisiana on several bills. The committee met on several occasions and asked for opinions and guidance by email when needed when emergent issues arose.

In this session, there were 1,389 legislative instruments filed. LAFP tracked 179 instruments and took formal positions on 37. Outlined below is a summary of major topics from this session listing specific legislative instruments that the Legislative and Advocacy Committee and the LAFP Board of Directors determined had a significant impact on family medicine.

During the Regular Session, the medical community was engaged with significant legislation:

Medical Marijuana

HB 819 by Rep. Larry Bagley broadens medical marijuana options in Louisiana. As the bill passed, any physician licensed by the LSBME may recommend medical marijuana for a patient suffering from any condition for which the physician believes their patient may experience relief. As physicians, you may wish to have your thoughts and policies already in place for when a patient asks you for access to the product.

Scope of Practice

HB 864 by Rep. Barry Ivey would have granted Advanced Practice Registered Nurses independent practice upon proof of three requirements: 1) An unencumbered, unrestricted, and valid registered nurse and advanced practice registered nurse licenses in this state, 2) Experience of no less than two hundred fifty hours in collaborative practice, and 3) Successful completion of academic coursework in physical assessment, advanced pharmacology, and advanced pathophysiology.

HB 864 further would have established "global signature authority" for Advanced Practice Registered Nurses. APRNs used the pandemic to promote this legislation telling lawmakers that due to the emergency order in place they are currently working without the need for a Collaborative Practice Agreement (CPA) and things are just fine without Louisiana's "unnecessary and antiquated rules and regulations."

Legislative and Advocacy Committee Report, continued

General Assembly – August 2, 2019 – New Orleans, LA

As a membership, LAFP delivered more than 200 emails to the members of the House Health and Welfare Committee. We thank you all for your support and participation, and we urge you to make sure your information is updated in the VoterVoice system so that you can quickly respond when called upon to take action.

HB 702 by Rep. Larry Bagley was another bill we defeated in 2019. The legislation was introduced at the request of the Physician Assistant community and would have changed their practice model from "supervisory" to "collaborative." After many conversations, the bill's author refused to move it unless the physician community was on board. As we were not on board, he stripped all the scope language out of HB 702 and only left the language granting Physician Assistants the authority to give orders to RNs.

Surprise Billing

HB 283 by Rep. Raymond Crews was the only Surprise Billing legislation that was heard in the Regular Session. While Rep. Crews proposed that the legislation addressed surprise billing in a "fair" manner, it actually trampled your right to contract. HB 283 would have disincentivized insurers to negotiate fairly with you. Rather, it incentivized them to terminate your contract and force you into utilizing the facility's contract with the insurer.

HB 283 was neither fair nor equitable. It was government-coerced contracting which would have eliminated your ability to negotiate a contract on your behalf and forced you to accept obligations from a contract to which you are not a party. The legislation was clearly pro-insurance and anti-Louisiana physician! LAFP members reacted in a very compressed timeframe to flood the floor with messages in under 18 hours. Thank you!

Collateral Source

SB 418 by Sen. Kirk Talbot: The bill includes a number of tort reform pieces, but the collateral source section is the one LAFP was charged by our members to watch closely. Our direction was to ensure that there was nothing akin to rate setting and then disengage, in order to remain effective on other issues. The bill did pass and currently awaits action by the Governor.

Today, essentially everyone has learned to work utilizing Zoom and can accomplish a lot through digital and virtual methods. In order to get public input, it is duty bound by the legislature to offer ways for the public to participate. Yes, we've all thought outside the box to offer new creative methods that provide some access, but it is absolutely not the same as having face-to-face visits with your legislators. They've had to adapt to offer email and other options to any interested party who wants to provide information on legislation. Reach out to your legislators and introduce yourself if you have not and offer to become a resource for them while giving them an easy way to reach you. Share that you are a member of LAFP.

LAFP continues to tirelessly champion our members and the medical profession. We will be there as your voice, and we thank you for putting your trust in your membership.

White Coat Day

The 2020 Legislative and Advocacy Training and White Coat Day at the Capitol was cancelled due to COVID-19. Be on the lookout for 2021 dates!

Individual Involvement – Family Physician of the Day

The Family Physician of the Day at the Capitol was put on hold for 2020 due to COVID-19 and the safety of our physicians and nursing staff.

Legislative and Advocacy Committee Report, continued

General Assembly – August 2, 2019 – New Orleans, LA

Your LAFP Legislative Affairs Committee

The following LAFP members serve on the Legislative and Advocacy Committee:

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Respectfully submitted,
Richard Bridges, MD
2019-2020 Legislative and Advocacy Committee Chair