



2018 Rural Health Legislation

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Session Overview

- Short session – non-budget session.
- Reconvened on January 3, 2018.
- Must adjourn Sine Die by March 14, 2018.
- First half of session will conclude by Feb. 6, 2018.
- Second half of session will conclude by March 6, 2018.
- Conference committees March 7-13, 2018.

Legislative Leadership

Indiana House of Representatives



70 Republicans
House Speaker
Brian Bosma (R)
Indianapolis, IN



30 Democrats
House Minority Leader
Terry Goodin (D)
Austin, IN

Indiana Senate



41 Republicans
Senate President Pro Tempore
David Long (R)
Fort Wayne, IN



9 Democrats
Senate Minority Leader
Tim Lanane (D)
Anderson, IN

Key Healthcare Legislation

- Standardization of Prior Authorization (SB 210; HB 1143)
- Interstate Medical Licensure Compact (SB 408; HB 1153)
- Physician Non-Compete Contracts (HB 1235)
- Update to POST and Hierarchy of Consent (HB 1119)
- Perinatal Levels of Care (SB 360)
- Reporting of Suspected Human Trafficking (HB 1191)

Prior Authorization

SB 210 and HB 1143: Similar language

- Streamlines the prior authorization process by creating more transparency, efficiency and fairness.
- Establishes timelines for notice for changes to prior authorization process.
- Creates quicker turnaround times for urgent and non-urgent PA requests.
- If PA request successfully submitted, health plan must send electronic confirmation.
- For PA requests denied, health plan must state specific reason for denial.
- The health plan shall not deny the PA request or claim unless it contains fraudulent or material incorrect information or the covered individual is not covered under the health plan on the date in which the service was provided.
- A health plan may not deny a claim that did not have PA for an unanticipated health service.

Interstate Medical Licensure Compact

- The House and Senate have identical bills addressing Interstate Medical Licensure Compact.
- If adopted, these bills will require the Indiana Medical Licensing Board to administer the interstate medical licensure compact, it allows eligible physicians to get an expedited license to practice medicine, and creates a compact commission which must establish a database of all physicians granted an expedited license.

Physician Non-Compete Contracts

- HB 1235
 - Prohibits non-compete clauses in physician contracts.
 - Therefore, an employer hospital cannot require an employee or prospective employee physician to sign an agreement stating that they will not go on to work for a competing employer for a set period of time after termination of employment.
 - An employee physician (prospective & former) may also bring civil action against an employer hospital for attempting to enforce a covenant of non-compete.

Healthcare Consent

- HB 1119: Physician order for scope of treatment and consent
 - Adds dentists, home health aides, and physician assistants to the definition of “health care provider” as it relates to duty to perform CPR per POST form.
 - Allows APRNs and PAs to execute a POST.
 - Allows a qualified person or representative to use an electronic signature on the POST form.
 - Establishes a priority order for who may provide consent to treatment if the adult patient is incapable of providing consent to healthcare and situational guidance.

Levels of Care

- SB 360: Perinatal levels of care designation certification
 - Requires the State Department of Health (ISDH) to establish a program to certify perinatal levels of care, designations for licensed hospitals and birthing centers that provide birthing services.
 - Specifies requirements that must be met in order to operate as a perinatal center.
 - Allows perinatal centers to perform peer review for the perinatal center, other hospitals, and other birthing centers that provide birthing services.

Reporting of Suspected Human Trafficking

- HB 1191: Reporting of Suspected Human Trafficking
 - Removes the requirement that a licensed health practitioner report suspected human trafficking to the Department of Child Services or a local law enforcement agency.

INSPECT Program

- SB 221: INSPECT Program
 - Included on the Governor Holcomb's 2018 Next Level Agenda and the Senate Majority Caucus' 2018 Agenda.
 - Requires practitioners who wish to prescribe opioids or benzodiazepines to register with INSPECT and perform mandatory searches, which will be phased in over a three-year time period.
 - Prescribers in emergency rooms and pain management clinics would be required to register and search by Jan. 1, 2019, all prescribers in hospital settings would be required to participate by Jan. 1, 2020, and all other prescribers would be required by Jan. 1, 2021.
 - In Senate Committee on Health and Provider Services, on January 17, 2018, the bill was amended to provide a waiver for those individuals/entities that do not have internet connectivity.

Other Bills of Interest

- SB 28 – Nursing school faculty loan repayment program
- SB 225 – Continuing education requirement for prescribers
- HB 1017/HB 1287 – Newborn screenings
- HB 1260 – Issuance of hospital license

Questions?



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