



NEBRASKA ACADEMY OF FAMILY PHYSICIANS

*"Promoting, supporting and serving our
members as they strive to improve the
health of all Nebraskans."*

2018 Nebraska Academy of Family Physicians (NAFP) Legislative review

The NAFP during the Nebraska's 105th legislature session identified the following legislative bills as priorities.

LB 687 (Blood) – Adopts the Advanced Practice Registered Nurse Compact

Authorizes Nebraska to enter the Interstate Advanced Practice Registered Nurse (APRN) compact. Eliminates the need for those teaching online classes as APRN educators to acquire a license for every state in which a student resides. The APRN multistate license would be sufficient as long as the students are in a compact state.

FINAL STATUS: Health and Human Services Committee, Indefinitely Postponed

NAFP opposed legislation

LB 931 (Howard) – Provide requirements for opiate prescriptions.

Limits opiate prescriptions for a patient younger than 19 to no more than a seven-day supply. A medical practitioner is required to discuss the risks associated with opiates with the patient's parent or guardian. Exceptions to the seven-day limitation can be made for chronic pain, cancer diagnosis or palliative care.

FINAL STATUS: Approved by Governor April 4, 2018 (LB933 and LB934 amended into LB931) Howard – Priority Bill

LB 933 (Lindstrom) – Provide prescription requirements for certain controlled substances

Requires medical practitioners to notify patients, a parent or a guardian of a patient under 18 of the risk of addiction and overdose when prescribing opiates and other Schedule II prescription medications. The notification is required prior to the initial prescription and again before issuing a third prescription. A notation in the patient's medical record of the discussion is also required.

FINAL STATUS: General File (Amended into LB931)

LB 934 (Kuehn) – Require identification prior to receipt of dispensed opiates.

Requires a person picking up an opiate prescription to provide valid photo identification. A driver license, operator license, Nebraska state identification card, military identification card, alien registration card or passport will be considered acceptable forms of identification. A patient, resident or employee of a licensed health care facility will be exempt from this provision if identification procedures are in place for the receipt and administration of controlled substances at the facility.

FINAL STATUS: General File (Amended into LB931)

NAFP provided recommendations on opiate specific legislation

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LB1034 (Riepe) - Change credentialing provisions for health care professions and occupations and licensure provisions for health care facilities and services and school-age child care programs and adopt the EMS Personnel Licensure Interstate Compact and the Psychology Interjurisdictional Compact.

As introduced, this bill provides that for school-age child care programs located within an accredited or approved school, the standards for care and protection of children are the same standards as those for an accredited or approved school under the regulations of the State Department of Education. As amended, this bill also:

- Creates the Psychology Interjurisdictional Compact, which facilitates the practice of telepsychology and the temporary in-person, face-to-face practice of psychology across state lines compact states. This compact becomes operational when seven states enact the compact into law (three states have enacted)
- Adopts the Emergency Medical Service Personnel Licensure Interstate Compact, which allows certain EMS services to be provided between compact states
- Amends the Emergency Medicaid Services Practice Act, the Occupational Therapy Practice Act, and the Uniform Credentialing Act to eliminate outdated language and provide flexibility in practice • Amends the Stoke System of Care Act to add "designated thrombectomy" centers to designations allowed by the Department of Health and Human Services • Updates statutory provisions related to the prescription drug monitoring program
- Reduces certain licensure requirements for physicians having graduated from a foreign medical school and permits the practice of medicine in Nebraska of athletic team or organization physicians who travel with a team or organization to Nebraska FINAL STATUS: Approved by Governor April 23, 2018

Multiple bills amended into LB1034. The NAFPP was able to provide recommendations for some of these

LB 1117 (Crawford) – Change certain cigarette and tobacco products tax rates.

Increases the tax on cigarettes from the current rate of .64 cents to \$2.14 per pack. The bill also increases the tax on snuff to \$1.00 per ounce from the current rate of .44 cents per ounce. The tax on tobacco products other than snuff will be raised from the current rate of 20 percent to 45 percent of the purchase price paid by the first owner. Revenue generated by the tax increase will be deposited into the state General Fund except \$2.5 million to be deposited with the Health Care Cash Fund. FINAL STATUS: Revenue Committee, Indefinitely Postponed

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NAFP agreed with the spirit of the legislation.

LB 1119 (Riepe) – Adopts the Direct Primary Care Pilot Program Act.

Creates a pilot program for state employees who participate in the Nebraska state insurance program. The two-year pilot program will begin in fiscal year 2019-20 and require that the state insurance program include at least two primary care options—one high-deductible and one low deductible for state employees. Participating providers will be required to: 1) Provide primary care to an enrollee; 2) Coordinate care across all care settings; 3) Oversee transitions in care between settings; and 4) Minimize the risk of gaps in care. Providers will receive monthly payment of a per-member, per-month fee for each enrollee and be required to continuously monitor care quality measurements. The Department of Administrative Services will provide the Legislature with an annual report on the clinical and financial performance of the program. FINAL STATUS: Approved by Governor April 13, 2018 (LB604 amended into LB1119)

NAFP in agreement with the legislation

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2019 priorities

For the upcoming legislative session Nebraska Academy of Family Physicians (NAFP) board and its legislative commission has identified primary care spend and maintenance of certification (MOC) as priorities.

The NAFP agrees with the American Academy of Family Physicians (AAFP) that an increase in primary care spend is necessary and a key component for the transformation of healthcare in our nation. The organization has seen the positive changes that have materialized in Rhode Island, as well as in Oregon, and its members are enthusiastic to begin this journey. The NAFP is in the process of identifying key stakeholders, forming coalitions with like-minded organizations, and will be drafting legislation to measure the current primary care spend for Nebraska. Once the primary care spend is known, the process to modify this rate will be initiated, if needed.

Maintenance of certification is used in many states as a pre-condition to licensure, reimbursement, employment, and admitting privileges. The NAFP is studying the possibility of introducing legislation to prevent the physician being denied the aforementioned privileges if he or she lacks MOC. The NAFP is studying multiple sources and bills that have been drafted and passed in other states, such as Oklahoma.

Continue to monitor the push for Medicaid expansion and study its potential effects on Nebraska's primary care infrastructure and its fiscal impact on the state.

Respectfully Submitted

Josue D. Gutierrez MD

Nebraska Academy of Family Physicians Legislative Chair

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