



Vermont
Medical
Society



2021 Legislative Update

take action with
VMS ADVOCACY

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WWW.VTMD.ORG

CME DISCLAIMER

In support of improving patient care, this activity has been planned and implemented by the Robert Larner College of Medicine at the University of Vermont and the Vermont Medical Society. The University of Vermont is jointly accredited by the Accreditation Council for Continuing Medical Education (ACCME), the Accreditation Council for Pharmacy Education (ACPE), and the American Nurses Credentialing Center (ANCC), to provide continuing education for the healthcare team.

The University of Vermont designates this internet live activity for a maximum of *1 AMA PRA Category 1 Credit(s)*[™]. Physicians should claim only the credit commensurate with the extent of their participation in the activity.

Please watch your email from the Vermont Medical Society providing directions for claiming CME credit.

CME credit must be claimed within 30 days of participating in the event.

VMS Third Thursday Webinar Series: 2021 Health Care Laws

Speakers: Jessa Barnard, VMS Executive Director, Jill Sudhoff-Guerin, VMS Policy & Communications Manager

Planning Committee Members:

Jessa Barnard, ESQ, Catherine Schneider, MD, Stephanie Winters & Elizabeth Alessi

Purpose Statement/Goal of This Activity: During the public health emergency, the predominant payment system of Fee For Service in our country caused disruption and challenges to all aspects of the health care community. OneCare Vermont will review some of the lessons learned, describe the actions its providers implemented, and discuss how we can use our current federal demonstration to advance the current payment and delivery system efforts.

Learning Objectives:

Describe lessons learned during the Public Health Emergency

Understand how payment reform can create predictability and stability for the health system

Understand the importance of innovation and creating an aligned care model to improve outcomes

Disclosures:

Is there anything to Disclose? Yes No

Did this activity receive any commercial support? Yes No

(The CMIE staff do not have any possible conflicts)

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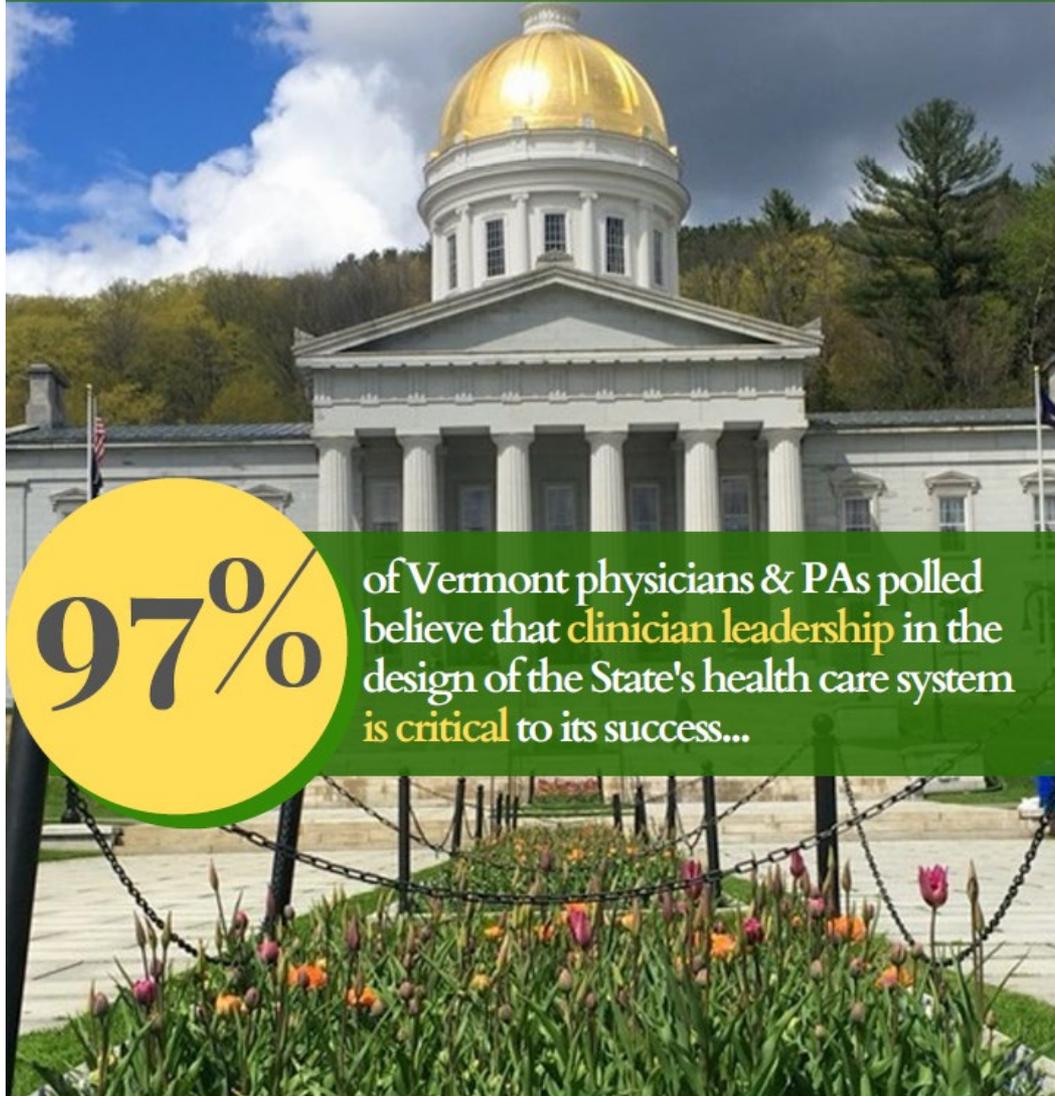
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ABOUT US

- 501(c)(6) nonprofit member service organization founded in 1784
- 2400 members (MDs, DOs, PAs, students)
- ***Dedicated to protecting the health*** of all Vermonters and ***improving the environment*** in which Vermont physicians & physician assistants practice medicine



The Vermont Medical Society



97%

of Vermont physicians & PAs polled believe that **clinician leadership** in the design of the State's health care system is **critical** to its success...



How will you lead?

Over the past year, VMS members:

Attended VMS leadership and advocacy trainings;

Testified and educated lawmakers on VMS priorities virtually; and

Served on the VMS Council, VMS Foundation Board
& VMS Committees.



*"VMS helps members feel like health care, despite its complexity, makes sense, and that they have a voice."
- Tim Lahey, M.D.*

"VMS puts policy over politics...and will supply information that is impactful to the legislators" - Senator Ginny Lyons D-Chittenden





2021 ADVOCACY UPDATE

VMS Top 3 Legislative Successes in 2021

COVID-19 - Passed & extended critical emergency flexibilities and funding to respond to COVID-19

- Including telehealth coverage, licensing provisions and HIPAA flexibilities (**Act 6/S.117**)
- Funding to cover population health recovery needs(**Act 9/H.315**)

Workforce

- Expanded funding for primary care scholarships to 2 yrs (**H.439**)

Mental Health

- Forensic Mental Health bill **S.3**
- Pediatric Mental Health & EDs **Letter**

For our complete **[2021 VMS Legislative Bulletin](#)** click here.



2021 ADVOCACY UPDATE

COVID-19/Emergency Response

Emergency regulatory flexibility bill [Act 6/S.117](#)

- Coverage for audio-only telehealth services (till 12/31/21)
- Informed consent for audio-only services
- Waiving HIPAA requirements for telehealth (sunsets 60 days after SOE)
- Licensure for out of state & retired professionals (till 3/31/22)
- Relaxation of insurer enrollment & credentialing (till 3/31/22)

COVID-19 recovery relief bill [Act 9/H.315](#)

- \$30 m. for small business recovery grants
- \$4 m. for Afterschool and Summer school programs
- \$10 m. in housing assistance for at-risk populations

Study of Permanent Telehealth Flexibilities [Act 21/H.104](#)

- OPR-led study to better facilitate the interstate delivery of telehealth services for all health care professionals



2021 ADVOCACY UPDATE

Workforce

Primary Care Scholarships H.439

- **Medical Student Incentive Program:** Provides in-state medical school tuition for 10 medical students annually who commit to practicing primary care in an underserved area of the state. Appropriated funding for AHEC and VSAC to implement 2 yrs of the program as a pilot. (sunsets 2027)

Funding Mental Health workforce H.439 & Act 9/H.315

- Funding to train HCW to provide mental health services
- Tuition assistance and loan repayment dollars for community mental health providers and substance use counselors
- Funding to cover tuition costs for Masters Level Counseling degrees

Nursing H.439 & S.48

- Nursing scholarship program, nursing upskill program
- Interstate Nursing Licensure Compact



2021 ADVOCACY UPDATE

Strengthening Mental Health System

Forensic Mental Health bill S.3

- VMS named as part of “forensic mental health workgroup” to study right-sizing forensic mental health system for VT
- Separates competency and sanity reports
- Studies on quality of mental health services in correctional settings in VT

Middlesex Replacement Act 50/H.438

- \$11.6 m for 16-bed secure recovery residence to be built in Essex

Pediatric Mental Health & EDs Letter

- Legislature provides AHS, along with VAHHS and the AOE, with specific steps aimed at alleviating long wait times in emergency departments for children in need of mental health services.



2021 ADVOCACY UPDATE

Improving Health Equity

Office of Health Equity bill **Act 33/H.210**

- The overarching goal of this new law is to address disparities in the health status of Vermonters based on race, ethnicity, disability, and LGBTQ identity and to promote health equity for all Vermonters through the establishment of this new office.

Medicaid for Families of all immigration status **Act 48/H.430**

- Expands eligibility for Dr. Dynasaur-like Medicaid coverage to all income-eligible children and pregnant women who would otherwise qualify for Medicaid except for their immigration status.

Racism as a public health emergency resolution **JRH 6**

- Focuses on the disproportionate impact the COVID-19 virus has had on non-White Vermonters and the how social determinants of health contribute to health inequities and outcomes for Black and Latino Vermonters.



2021 ADVOCACY UPDATE

Health Reform

Department of Financial Regulation Essential Health Benefits Benchmark Review H.439

- Study to determine whether to modify the benchmark plan to include coverage of: hearing aids; dentures; vision care; durable medical equipment; fertility services; and to analyze the likely impact on qualified health plan designs, actuarial values, and premium rates of requiring individual and small group health insurance plans to provide each insured with at least two primary care visits per year with no cost-sharing requirement.

Health Reform Task Force H.439

- The FY22 budget allocates \$125,000 to create a "Task Force on Affordable, Accessible Health Care."



2021 ADVOCACY UPDATE

Practice of Medicine

Informed Consent for Stem Cell Treatment S.22

- Requires that health care practitioners notify patients before administering a stem cell product that has not received approval from the U.S. Food and Drug Administration (FDA).

Public Health

Miscellaneous Cannabis Regulations & Procedures S.25

- Makes modifications to S.54/Act 164 of 2020, which created a commercial cannabis market in Vermont, includes advertising restrictions, guard rails around prevention funding and changes in commercial cannabis system timeline.

Feminine Hygiene Product Sales Tax Exemption H.436

Provides a 6% sales tax exemption for feminine hygiene products

2022 AGENDA

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Primary Care

Increase Medicaid Rates

- Increase Medicaid reimbursement rates to 105% of the Medicare rate for primary care providers (stalled in 2021)

Primary Care Scholarships

- AHEC/VSAC MOU/ Implementation
- Ongoing funding after initial 2 yrs.

2 primary care visits in Benchmark Review

- Actuarial analysis on costs to provide each insured with at least two primary care visits per year with no cost-sharing requirement in essential benefits.
- DFR is required to report the findings of the benchmark review on January 15, 2022.

2022 AGENDA

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Reducing Administrative Burden

Prior Authorization

H.960/Act 140

- Throughout 2022, DVHA, DFR, GMCB and other stakeholders are required to deliver reports on the Gold Card Pilot and other methods to reduce prior authorizations to the House and Senate Health Care Committees and Senate Finance Committee.

2022 AGENDA

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Insurance/Health Reform

Audio-Only Telehealth

- Reimbursement parity for audio-only services

Telehealth licensure

- OPR report due on December 15, 2021

Health Care Affordability Task Force

- Regional listening tour – ensure physician voice is included
- Report due December 1, 2021

2022 AGENDA

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Public Health

Implementation of Marijuana Sales

- Commenting on rulemaking, including advertising restrictions
- Ensuring adequate funding directed to prevention & after school

Reproductive Rights – Prop 5

- Passage in the House
- Referendum on ballot

Gun Violence Prevention

- Waiting period bill (introduced in 2021)
- Prohibition to carry firearm into hospitals (stalled in 2021)



2022 AGENDA

Public Health

Banning Flavored Tobacco Products
(stalled in 2021)

Minors Consent to Preventive Services
(introduced in 2021)

Banning the Sale of Crib Bumpers
(introduced in 2021)

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VMS Weekly Rounds:

<https://vtmd.org/vms-rounds-newsletter>

Legislative Bulletins:

<https://vtmd.org/legislative-bulletins>



WHO WE ARE: PHYSICIAN LEADERS

President:

Simha Ravven, MD (Psychiatry, CMO, Howard Center)

President:-elect:

Patricia Fisher, MD (Family Practice, CMO, CVMC)

Vice-President:

Ryan Sexton, MD (Emergency Medicine, CMO, NVRH)

Immediate Past-President:

Catherine Schneider, MD (Surgery, Mt. Ascutney)

Secretary-Treasurer:

Howard Schapiro, MD (UVM Health Network)



WHO WE ARE: STAFF

Executive Director:

Jessa Barnard

Deputy Director:

Stephanie Winters

Policy & Communications Manager

Jill Sudhoff-Guerin

Practitioner Health Program &
Business Manager

Colleen Magne

WHAT WE DO

Vermont
Medical
Society

Legislative &
Regulatory
Advocacy

Education
and
Outreach

Practitioner
Health

Specialty
Society
Administration



THANK YOU!

Questions?: jbarnard@vtmd.org