

2018 NH Legislative Session Wrap-Up

The Medical Society formally tracked over 150 bills during the 2018 legislative session of the New Hampshire General Court. Though all of these bills impacted physicians and their patients in some manner, the following are the highlights of some bills prioritized by our Legislative Committee for advocacy. A comprehensive 20-page spreadsheet summarizing all of the legislation followed and acted upon by the Medical Society can be found on the NHMS website.

The Medical Society concluded another very successful session in no small part due to your participation in testimony, emails and conversations with NH lawmakers. Unfortunately, space does not permit us to thank all of you who were involved in the legislative process this year. Your continued engagement and support is so very much appreciated. Thank you.

Requiring Insurance Coverage for 3-D Mammography (SB 189)

Supported – Bill Passed, Signed into Law

SB 189 requires health insurance policies to cover 3-D mammography tests. Most hospitals and imaging providers offer 3-D mammography as the standard of care and many insurance carriers already cover the service. NHMS overcame negative recommendations of both chamber's Commerce Committees to help overturn and pass the bill (21-1) in the Senate and (178 to 154) in the House.

Banning Electroconvulsive Therapy (SB 480, SB 584)

Opposed – Bills Did Not Pass

Two bills banning the use of ECT on minors and some involuntary patients were filed in the state Senate. After extensive outreach with the NH Psychiatric Society, the bills' sponsors agreed that physician guided ECT is being conducted in a cautious, professional and responsible manner. Both bills were subsequently defeated in the Senate.

Extending Medicaid Expansion (SB 313)

Supported – Bill Passed, Awaiting Governor's Signature

SB 313 reauthorized Medicaid Expansion. To date, Medicaid expansion has helped over 130,000 Granite Staters gain access to health care. Additionally, the program has been instrumental in supporting the statewide Drug Court system and other substance use treatment programs. The NHMS strongly supported SB 313 to allow New Hampshire's residents access to necessary health care services. Governor Sununu has pledged to sign SB 313 when it reaches his desk.

Maintenance of Certification Reform (HB 1769)

Supported – Bill Did Not Pass

HB 1769 prohibited maintenance of certification (MOC) from being used as a mandatory requirement for insurance reimbursement, licensure or hospital privileges. Polls indicate that over 90% of Granite State physicians do not believe that MOC meaningfully contributes to their practice or patients. Though the bill passed the House, it was not able to overcome opposition raised by the hospitals and the ABMS in the Senate. The Medical Society plans to urge that

similar legislation be refilled next session, and continues to push for substantial reforms in relevance, alternatives to high stakes exams and reducing MOC costs.

Limiting Pharmacy Board Oversight of Infusion Products (SB 581)

Supported – Bill Passed, Signed by Governor

The NH Board of Pharmacy (BOP) determined that certain infusion services being provided in physician offices or infusion centers, which had been widely performed for years with no adverse incidents, were subject to BOP oversight as compounding activities and began conducting surprise inspections and fining several offices. The bill clarified that these types of activities were not compounding activities and therefore not under the Pharmacy Board’s jurisdiction. NHMS is exploring legislation to formally exclude BOP oversight from physician practices.

Eliminating Balance Billing (HB 1809)

Opposed Original Version – Amended Bill Passed, Awaiting Governor’s Signature

In its original form, HB 1809 only banned the practice of balance billing by health care providers performing anesthesiology, radiology, emergency-medicine or pathology services. Knowing the bill was likely to pass due to public demand, NHMS convened and worked with the four specialty societies to include network adequacy requirements for the four services listed above, a prudent layperson standard, and mediation with insurance carriers to the legislation.

Requirements for Lyme Disease Testing (HB 1388, SB 475)

Opposed – Bills Did Not Pass

Two nearly identical bills related to Lyme Disease requiring specific statements on Lyme disease antibody testing to be distributed by practitioners. The Medical Society urged a more comprehensive patient education approach focusing on prevention and early intervention.

Licensure of “Assistant or Graduate Physicians” (HB 1506, SB 426) – (SB 590)

Opposed – Bill Amended and Passed without Graduate Physician provisions; Replaced with provisions to extend Primary Care Workforce Commission; Support increased funding for loan forgiveness.

This bill would have allowed medical school graduates who have not completed a residency to be licensed as “Assistant Physicians” (during the course of the session, the name was changed to “Graduate Physicians”). The individuals in this proposed new licensure category would have been allowed to practice primary care and dispense drugs in medically underserved areas of the state. HB 1506 was ultimately amended to remove any reference to the “Graduate Physician” provisions and instead extended the state’s Primary Care Workforce Commission. NHMS supported an alternative strategy to increased funding to the State Loan Reimbursement Program in SB 590, which passed the legislature and was signed by the Governor.

Preventing Childhood Lead Poisoning (SB 247)

NHMS Supported – Bill Passed, Signed by Governor

SB 247 was a years-long effort with the NH Pediatrics Society to strengthen our state’s prevention efforts against childhood lead poisoning from paint and water. The bill requires universal testing of all one- and two-year-old children and reduces the blood lead levels for parental and property owner notification. Measures were also included to assist landlords in addressing conditions that may lead to high lead levels in children.

Limitations on Immunizations (HB 1367, HB 1617, SB 381, SB 495)

NHMS Opposed – Bills Did Not Pass

The bills proposed limiting vaccines and immunizations included removing recommended immunization for tetanus, hepatitis-B and HPV. The NHMS opposed each of these attempts to weaken the state’s public health efforts helping defeat these measures.

Reproductive Health (HB 156, HB 1511, HB 1680, HB 1707, HB 1721 and HB 1787)

NHMS Opposed – Bills Did Not Pass

As is customary each year, a number of bills were filed in 2018 relating to reproductive rights of women and limiting access to such. They included attempts to prohibit abortions after “viability”, require pregnant women to be provided with certain information prior to an abortion, determine if pregnant women were “coerced” into abortions, and allow providers to “conscientiously object” to participating in abortions. The NHMS was opposed to all these bills, with each of them failing to pass in the House.

Increased Availability of Contraceptives (HB 1822 and SB 421)

Supported – Bills Passed; HB 1822 signed by Governor; SB 421 awaiting signature

Two bills relating to increased availability of contraceptives were passed by the legislature this year, with support of the NHMS. HB 1822 makes hormonal contraceptives available directly from pharmacists by means of a standing order. SB 421 requires insurance plans to cover contraceptives dispensed in a quantity intended to last for a 12-month period, if prescribed in that quantity.

