**State Legislative Update – February 16, 2024**

For more information regarding ACS State Affairs Policy Priorities in your state, please contact Catherine Hendricks, State Affairs Manager, at chendricks@facs.org or Cory Bloom, State Affairs Associate, at cbloom@facs.org.

**STATE AFFAIRS WORKGROUP**

Arnold Baskies, MD, FACS (NJ); Ali Kasraeian, MD, FACS (FL); Kevin Koo, MD, FACS (MN); and Kelly Swords, MD, FACS (CA). The Workgroup will play a critical role in identifying state advocacy priorities, setting new policy objectives, and evaluating state advocacy grant applications among other duties.

**ACS STATE AFFAIRS PRIORITY ISSUES**

* Trauma System Funding & Development
* Cancer Screening, Testing, and Treatment
* Insurance & Administrative Burden
* Professional Liability
* Criminalization of Physician Care
* Access to Surgical Care
* Health Equity

**ACS GRANT PROGRAM**

State Chapters are eligible to apply for ACS State Advocacy Grants and may use funds towards their annual state advocacy day. Funds provided through the grant can be applied towards expenses such as travel costs for members, catering, venue rentals, printing, and more. To learn more information regarding the ACS State Advocacy Grants, apply [here](https://www.facs.org/advocacy/state-legislation/chapter-state-advocacy-grant-program/).

**UPCOMING EVENTS**

California Advocacy Day, Sacramento, April 10; register [here](https://www.cmadocs.org/event-info/sessionaltcd/LEGDAY24/t/legislative-advocacy-day)

**STATE MEDICAL BOARDS**

**NORTH DAKOTA**

Refer a child to [Make-A-Wish](https://wish.org/refer-a-child)®. Make-A-Wish® creates life changing wishes for children ages 2 ½ to 18 years old who have a critical illness that puts their life in jeopardy. Medical professionals are one of the main referral sources to connect children with their wish come true. If you know a child with a critical illness, refer them by visiting [wish.org](https://wish.org/refer-a-child). In addition to the referral form, you will also find medical guidance sheets regarding eligibility within sub-specialty departments.

**STATUS OF LEGISLATIVE SESSIONS**

Montana, Nevada, North Dakota, and Texas have no regular session in even-numbered years. Legislative session information can be found [here](https://www.multistate.us/resources/2024-legislative-session-dates).

**LEGISLATIVE TRACKING**

**ALASKA**

[SB 115](https://www.akleg.gov/PDF/33/Bills/SB0115A.PDF) – Scope of Practice

Introduced by Senator Loki Tobin (D), SB 115 allows a physician assistant who has completed 2,000 hours of practice experience to no longer be required to practice under a collaborative agreement with a physician. The bill was introduced in the Senate and referred to Health and Social Services.

[SB 222](https://www.akleg.gov/PDF/33/Bills/SB0222A.PDF) – Cancer

Introduced by Senator Elvi Gray-Jackson (D), amends state law, which includes no cost-sharing, for diagnostic and supplemental breast exams for those with a personal or family history, or other factors that may increase the enrollee’s risk of breast cancer. The bill was introduced in the Senate and referred to the Labor and Commerce Committee.

**CALIFORNIA**

[AB 2258](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB2258) – Cancer

Introduced by Assemblymember Rick Zbur (D), AB 2258 amends state law to require health plan insurers to provide no cost-sharing preventative care and cancer screenings for breast, cervical, and colorectal cancer. The bill was introduced in the Assembly and is pending referral to a committee.

[SB 1120](https://leginfo.legislature.ca.gov/faces/billPdf.xhtml?bill_id=202320240SB1120&version=20230SB112099INT) – Prior Authorization

Introduced by Senator Josh Becker (D), SB 1120 requires a health care service plan or health insurer to ensure a licensed physician supervises the use of artificial intelligence decision making tools when those tools are used to inform decisions to approve, modify, or deny requests by providers for authorization prior to, or concurrent with, the provision of health care services to enrollees or insureds. The bill was introduced in the Senate and referred to the Committee on Rules.

**GEORGIA**

[HB 1204](https://www.legis.ga.gov/api/legislation/document/20232024/223374) – Cancer

Introduced by Representative Eddie Lumsden (R), HB 1204 seeks to require health insurance plans to provide coverage for medically necessary expenses for standard fertility preservation services when medically necessary treatment for cancer may directly or indirectly cause iatrogenic infertility. The bill was introduced in the House and is pending referral to a committee.

**IDAHO**

[H 505](https://legislature.idaho.gov/wp-content/uploads/sessioninfo/2024/legislation/H0505.pdf) – Licensure

Introduced by the House Business Committee, H 505 extends the physician licensure renewal from one year to two years. The bill was introduced in the House and referred to the Business Committee.

**ILLINOIS**

[HB 5103](https://ilga.gov/legislation/103/HB/PDF/10300HB5103.pdf) – Cancer

Introduced by Representative Jed Davis (R), HB 5103 amends state law to include health insurance coverage for enrollees with a high level of cancer antigen 125, as indicated by a blood test screening; includes all medically viable methods for the detection and diagnosis of ovarian cancer. The bill was introduced in the House and referred to the Rules Committee.

[HB 5395](https://ilga.gov/legislation/103/HB/PDF/10300HB5395.pdf) – Network Adequacy Requirements

Introduced by Representative Anna Moeller (D), HB 5395 provides the minimum ratio for each provider type shall be no less than any ratio established for qualified health plans in federally facilitated exchanges or by the Centers for Medicare and Medicaid Services. The bill was introduced in the House and referred to the Rules Committee.

[HB 5404](https://ilga.gov/legislation/103/HB/PDF/10300HB5404.pdf) – Cancer

Introduced by Representative Marcus Evans (D), HB 5404 appropriates $350,000 from the general revenue fund to the department of public health for local health departments and community-based organizations to promote prostate and testicular cancer screening. The bill was introduced in the House and referred to the Rules Committee.

[HB 5549](https://ilga.gov/legislation/103/HB/PDF/10300HB5549.pdf) – Trauma

Introduced by Representative Barbara Hernandez (D), HB 5549 provides for the re-designation of trauma centers to include Level III trauma centers and for the designation of acute injury stabilization centers; sets minimum requirements for trauma centers and acute injury stabilization centers. The bill was introduced in the House and referred to the Rules Committee.

[HB 5586](https://ilga.gov/legislation/103/HB/PDF/10300HB5586.pdf) – Criminalization

Introduced by Representative Hoan Huynh (D), HB 5586 provides no person can be arrested or extradited for acts committed or services received involving gender-affirming care. The bill was introduced in the House and referred to the Rules Committee.

[SB 3547](https://ilga.gov/legislation/103/SB/PDF/10300SB3547.pdf) – Cancer

Introduced by Senator Suzy Hilton (D), SB 3547 recommends breast cancer related educational materials to include clinical breast exams as a method for detecting breast cancer. The bill was introduced in the Senate and referred to the Assignment Committee.

[SB 3548](https://ilga.gov/legislation/103/SB/PDF/10300SB3548.pdf) – Trauma

Introduced by Senator Laura Ellman (D), SB 3548 provides for the re-designation of trauma centers to include Level III trauma centers and for the designation of acute injury stabilization centers: sets minimum requirements for trauma centers and acute injury stabilization centers. The bill was introduced in the Senate and referred to the Assignment Committee.

[SB 3653](http://ilga.gov/legislation/103/SB/PDF/10300SB3653.pdf) – Scope of Practice

Introduced by Senator Lakesia Collins (D), SB 3653 allows for certified registered nurse anesthetist to practice without a written collaborative agreement. The bill was introduced in the Senate and referred to the Assignment Committee.

[SB 3668](https://ilga.gov/legislation/103/SB/PDF/10300SB3668.pdf) – Trauma

Introduced by Senator Laura Ellman (D), SB 3668 amends the Emergency Medical Services Systems Act; provides for the re-designation of trauma centers to include Level III trauma centers and for the designation of acute injury stabilization centers; sets minimum requirements for trauma centers and acute injury stabilization centers. The bill was introduced in the Senate and referred to the Assignment Committee.

[SB 3732](https://ilga.gov/legislation/103/SB/PDF/10300SB3732.pdf) – Prior Authorization

Introduced by Senator Cristina Castro (D), SB 3732 provides a health insurance plan shall not require prior authorization where a medication is prescribed for a chronic condition, long-term condition; has been prescribed for 6 months or more; is a treatment for the clinical indication as supported by peer-reviewed medical publications; or for patients currently managed with an established treatment regimen. The bill was introduced in the Senate and referred to the Assignment Committee.

[SB 3739](https://ilga.gov/legislation/103/SB/PDF/10300SB3739.pdf) – Network Adequacy Requirements

Introduced by Senator Robert Peters (D), SB 3739 provides the minimum ratio for each provider type shall be no less than any such ratio established for qualified health plans in federally facilitated exchanges by federal law or by the federal Centers for Medicare and Medicaid Services. The bill was introduced in the Senate and referred to the Assignment Committee.

**IOWA**

[HF 2412](https://www.legis.iowa.gov/docs/publications/LGi/90/HF2412.pdf) – Professional Liability

Introduced by Representative Ako Abdul-Samad (D), HF 2412 prohibits a professional liability insurance carrier from raising rates more than two percent per year. The bill was introduced in the House and referred to the Judiciary Committee.

[HF 2472](https://www.legis.iowa.gov/docs/publications/LGi/90/HF2472.pdf) – Cancer/Prior Authorization

Introduced by Representative Molly Buck (D), HF 2472 mandates a utilization review organization or a health carrier cannot not require prior authorization for health care services recommended by an enrollee’s health care provider based on national comprehensive cancer network protocols. The bill was introduced in the House and referred to the Commerce Committee.

[HF 2488](https://www.legis.iowa.gov/docs/publications/LGi/90/HF2488.pdf) – Prior Authorization

Introduced by the House Commerce Committee, HF 2488 sets out a timeline for utilization review (UR) organizations to respond to prior authorization (PA) requests; requires an annual review of all healthcare services PA is required and to eliminate routinely approved requests and directs UR complaints to the insurance division. The bill was introduced in the House and is pending referral to a committee.

[HF 2489](https://www.legis.iowa.gov/docs/publications/LGi/90/HF2489.pdf) – Cancer

Introduced by the House Committee on Commerce, HF 2489 requires health care insurers to provide coverage for diagnostic and supplemental breast examinations. The bill was introduced in the House and is pending referral to a committee.

[SF 2286](https://www.legis.iowa.gov/docs/publications/LGi/90/SF2286.pdf) – Moral Conscience

Introduce by the Senate Judiciary Committee, SF 2286 protects medical practitioners and health insurance plans from employment, licensure, criminal, and civil actions for refusing to participate in a health care service that violates the providers conscience. The bill was introduced in the Senate and referred to the Judiciary Committee.

**KANSAS**

[HB 2792](https://www.kslegislature.org/li/b2023_24/measures/documents/hb2792_00_0000.pdf) – Criminalization

Introduced by the Committee on Health and Human Services, HB 2792 prohibits gender transition surgery on minors; authorizes licensure discipline against a physician who performs such surgeries; and adopting a standard of care for gender transition care services that constitutes gross negligence. The bill was introduced in the House and is pending referral to a committee.

[SB 490](https://www.kslegislature.org/li/b2023_24/measures/documents/sb490_00_0000.pdf) – Scope of Practice

Introduced by the Senate Public Health and Welfare Committee, SB 490 would allow optometrists to prescribe, administer, and dispense pharmaceutical drugs through all routes of administration, except of interocular injection; remove non-perforating foreign bodies from the cornea, conjunctiva or eyelids; scrape the cornea for diagnostic tests; dilate, probe, irrigate tear drainage; express conjunctival follicles or cysts; debride the corneal epithelium; incise and cut a chalazion; remove and biopsy skin lesions without known malignancy; laser capsulotomy, trabeculoplasty, and peripheral iridotomy. The bill was introduced in the Senate and was referred to the Public Health and Welfare Committee.

[SB 496](https://www.kslegislature.org/li/b2023_24/measures/documents/sb496_00_0000.pdf) – Scope of Practice

Introduced by the Senate Committee on Public Health and Welfare, SB 496 expands the scope of practice for naturopaths to include ordering and performing physical examinations, orifical examinations, including but not limited to, phlebotomy, clinical laboratory tests, speculum examinations and physiological function tests; and order diagnostic imaging studies. The bill was introduced in the Senate and referred to the Public Health and Welfare Committee.

**MARYLAND**

[HB 1439](https://mgaleg.maryland.gov/2024RS/bills/hb/hb1439F.pdf) – Trauma Systems

Introduced by Delegate Emily Shetty (D), HB 1439 seeks to change the percentage of reasonable compensation paid to trauma hospitals; report to the general assembly annually how the hospital was reimbursed. The bill was introduced in the Assembly and referred to the Appropriations Committee.

**MASSACHUSETTS**

[H 1143](https://malegislature.gov/Bills/193/H1143) – Prior Authorization

Introduced by Representative Jon Santiago (D), H 1143 amends state law to require health insurance plans to report annually all procedures, services, treatments, and medications the plan requires prior authorization (PA), the number and percentage of approved PA, the number and percentage of PA denials, the timeframe for PA, number of expedited PA approved and denied, average time for appeal; and make it publicly available; describes the format for PA submission; PA cannot be retroactively denied, unless approval was based on fraudulent information; and other requirements outlined in the bill. The bill was introduced in the House and referred to the Financial Services Committee.

[H 4350](https://malegislature.gov/Bills/192/S1134.Html) – Professional Liability

Introduced by Representative Kate Hogan (D), H 4350 increases penalties of criminalized sexual assault perpetrated by medical professionals, including indecent assault and battery on vulnerable persons in custody by law enforcement. The bill was introduced in the House and referred to the House Steering, Policy, and Scheduling Committee.

**MINNESOTA**

[HF 3440](https://www.revisor.mn.gov/bills/text.php?number=HF3440&version=0&session=ls93&session_year=2024&session_number=0&format=pdf) – Scope of Practice

Introduced by Representative Bianca Virnig (D), HF 3440 removes the requirement for a nurse practitioner or clinical nurse specialist who qualifies for licensure as an advanced practice registered nurse to practice for at least 2,080 hours, within the context of a collaborative agreement, within a hospital where advanced practice registered nurses and physicians work together to provide patient care. The bill was introduced in the House and referred to the Health Finance and Policy Committee.

[HF 3578](https://www.revisor.mn.gov/bills/text.php?number=HF3578&version=0&session=ls93&session_year=2024&session_number=0&format=pdf) – Prior Authorization

Introduced by Representative Kristin Bahner (D), HF 3578 mandates a health maintenance organization may not deny or limit coverage of a service the enrollee received due to a lack of prior authorization or second opinion. The bill was introduced in the House and referred to the Health Finance and Policy Committee.

[SF 3532](https://www.revisor.mn.gov/bills/text.php?number=SF3532&version=0&session=ls93&session_year=2024&session_number=0&format=pdf) – Prior Authorization

Introduced by Senator Kelly Morrison (D), SF 3532 mandates a health maintenance organization may not deny or limit coverage of a service the enrollee received due to a lack of prior authorization or second opinion. The bill was introduced in the House and referred to the Health Finance and Policy Committee.

**MISSISSIPPI**

[SB 2377](https://billstatus.ls.state.ms.us/documents/2024/pdf/SB/2300-2399/SB2377IN.pdf) – Scope of Practice

Introduced by Senator Kevin Blackwell (R), SB 2377 provides an advanced practice registered nurse may work independently after completing 3,600 practice hours; and allows certified registered nurse anesthetists to work independently after completing 8,000 practice hours. The bill was introduced in the Senate and referred to the Public Health and Welfare Committee.

**MISSOURI**

[HB 1487](https://documents.house.mo.gov/billtracking/bills241/hlrbillspdf/3285H.01I.pdf) – Stop the Bleed

Introduced by Representative Brenda Shields (R), HB 1487 would place bleeding control kits in public schools; requires training; provides civil protection. The bill was introduced in the House and referred to the General Laws Committee.

[HB 1976](https://documents.house.mo.gov/billtracking/bills241/hlrbillspdf/4618H.01I.pdf) – Prior Authorization

Introduced by Representative Melanie Stinnett (R), HB 1976 amends state law to provide an prior authorization (PA) exemption for physicians; sets a twenty-five day timeline for PA; provides for an appeals process; and prohibits denial or reduction in payment to a health care provider for a service which received PA, unless the health care provider failed to substantially perform the health care service or knowingly and materially misrepresented the health care service. The bill was introduced in the House and referred to the Health Care Reform Committee.

**NEW YORK**

[S 4909](https://legislation.nysenate.gov/pdf/bills/2023/S4909) – Workplace Violence

Introduced by Senator Luis Sepulveda (D), S 4909 requires hospitals to establish a violence prevention program and conduct an annual safety and security assessment. The bill was introduced in the Senate and referred to the Health Committee.

[S 8553](https://legislation.nysenate.gov/pdf/bills/2023/S8553) – Cancer

Introduced by Senator Joseph Addabbo (D), S 8553 requires health insurance policies provide coverage for follow-up diagnostic imaging to assist in the diagnosis of lung cancer. The bill was introduced in the Senate and referred to the Insurance Committee.

**OKLAHOMA**

[HB 3190](http://webserver1.lsb.state.ok.us/cf_pdf/2023-24%20INT/hB/HB3190%20INT.PDF) – Prior Authorization

Introduced by Representative Carl Newton (R), HB 3190 creates the Ensuring Transparency in Prior Authorization (PA) Act; requires disclosure and review of PA; defines qualifications for those making adverse determinations; requires consultation prior to adverse determination; defines criteria for reviewing physicians; establishes obligations for utilization review entity; provides an exception for PA; prohibits certain retrospective denial; provides timeline for PA; provides for length of PA in urgent circumstances; provides for continuity of care; and provides for standard for transmission of authorization. The bill was introduced in the House and referred to the Insurance Committee.

**RHODE ISLAND**

[H 7577](https://webserver.rilegislature.gov/BillText/BillText24/HouseText24/H7577.pdf) – Criminalization

Introduced by Representative John Edwards (D), HB 7577 precludes any individual from interfering with another’s access to transgender health care services and reproductive health care services. The bill was introduced in the House and referred to the Judiciary Committee.

[S 2262](https://webserver.rilegislature.gov/BillText/BillText24/SenateText24/S2262.pdf) – Criminalization

Introduced by Senator Dawn Euer (D), SB 2262 seeks to protect health care providers from civil or criminal action by other states or persons seeking transgender or abortion care access provided in the state. The bill was introduced in the Senate and referred to the Judiciary Committee.

[S 2473](https://webserver.rilegislature.gov/BillText/BillText24/SenateText24/S2473.pdf) – Workplace Violence

Introduced by Senator Frank Ciccone (D), SB 2473 prohibits any type of psychological abuse in the workplace in the violation of an employee's right to a physically and psychologically safe work environment; provides an employee subject to bullying, psychological abuse, psychological injury and/or physical injury with protections in the workplace and civil remedies against perpetrators of any prohibited activity. The bill was introduced in the Senate and referred to the Labor Committee.

**UTAH**

[SB 239](https://le.utah.gov/~2024/bills/sbillint/SB0239.pdf) – Scope of Practice

Introduced by Senator Curtis Bramble (R), SB 239 allows nurse anesthetists to select, administer, and provide preoperative, intraoperative, and postoperative anesthesia care and related services without supervision; additionally allows nurse anesthetists to prescribe or administer Schedule II controlled substances. The bill was introduced in the Senate and is pending referral to a committee.

**WEST VIRGINIA**

[HB 5564](https://www.wvlegislature.gov/Bill_Text_HTML/2024_SESSIONS/RS/bills/hb5564%20intr.pdf) – Certificate of Need

Introduced by Delegate Wayne Clark (R), HB 5564 provides micro-hospitals are exempt from certificate of need review. The bill was introduced in the House and referred to the Health and Human Resources Committee.

**WYOMING**

[HB 14](https://wyoleg.gov/2024/Introduced/HB0014.pdf) – Prior Authorization

Introduced by the Joint Committee on Labor, Health, and Social Services, HB 14 creates the Ensuring Transparency in Prior Authorizations (PA) Act; requires health care plans to make PA requirements and restrictions accessible on their website; requires 60 days’ notice of any changes to PA; outlines qualifications of physician reviewer; provides for consultation prior to an adverse determination; outlines the process of reviewing appeals and qualification of reviewers; provides exemptions from PA requirements for physicians; and continuity of care if enrollee changes health care plans. The bill was introduced in the House and referred to the Labor Committee.

[HB 148](https://wyoleg.gov/2024/Introduced/HB0148.pdf) – Criminalization

Introduced by Representative Martha Lawley (R), HB 148 bans anyone without admitting privileges at a hospital located not more than ten miles from the abortion facility from performing abortions; violators may be charged with a misdemeanor punishable by a $1,000 fine. The bill was introduced in the House and is pending referral to a committee.

To view a complete list of bills ACS State Affairs is tracking, visit our online [State Legislative Tracker.](https://www.quorum.us/spreadsheet/external/QGjJBFIfORzJNAtlNvfp/)