

## State Legislative Update – March 8, 2024

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

### UPCOMING EVENTS

California Advocacy Day, Sacramento, April 10; register [here](#).

ACS Leadership and Advocacy Summit, Washington, D.C., April 13-16; register [here](#).

### STATE MEDICAL BOARDS

#### **OHIO**

#### **Public Hearing Notice: Office-Based Surgery**

A public hearing will be held at 1:30 p.m. on March 27, 2024, in conference room 420 of the Rhodes State Office Tower, 30 E. Broad St., 4th Floor, Columbus, OH, regarding an amendment to board Rule 4731-25-02 for office-based surgical procedures. The amended language is as follows: *(I) A special procedure or surgery that is prohibited by rule of the Administrative Code or law of the Revised Code to be performed in a hospital or ambulatory surgical facility shall not be performed in an office setting.*

Oral or written testimony may be presented by any person affected by the following proposed actions:

- [Original filing proposed amended OAC 4731-25-02](#)
- [Filed Notice of Public Hearing for proposed amended OAC 4731-25-02](#)

## **State Medical Board of Ohio Launches Sexual Misconduct Page**

The SMBO published a new page on their website highlighting the importance of reporting sexual misconduct and explaining the tools used to properly address the complaints. Among the resources provided on the page:

- Instructions and information specific to patients, licensees, and stakeholders
- Medical Board presentations describing the handling of complaints
- Videos of Medical Board staff discussing the board's practices
- Human trafficking resources

Read more [here](#).

## **NEVADA**

### **Avoiding Board Complaints**

The Nevada State Board of Medical Examiners investigates all complaints received regarding physicians and other health care providers and enforces the provisions of the medical practice act. The most common types of complaints include: patient care; failure to provide medical records; failure to maintain proper medical records; prescribing of controlled substances; patient abandonment; demeanor or disruptive behavior; sexual misconduct; practicing outside of one's scope/specialty; aiding in the unlicensed practice of medicine; false advertising; impairment; failure to timely sign a death certificate.

It is important to respond to an allegation letter thoroughly and in a timely manner to ensure the investigators have as much information as possible to assist in their decision-making process. Final resolution of the matter often occurs after a multi-step process. Licensees are encouraged to contact the assigned investigator if there are any questions regarding the allegation letter, subsequent requests for information, or the overall investigative process.

Complaint themes have not substantially changed in decades, and the Board's article reports on some of the most common types of complaints. In addition, recommendations regarding how to avoid complaints will be provided for each complaint type. Read more [here](#).

## **GENERAL INFORMATION**

### **Provider Bridge Emergency Preparedness and Response**

Provider Bridge is a free-to-use technology platform that maintains a comprehensive registry of health professionals who can be accessed expeditiously to prepare for and respond to local, regional, or national emergencies. Registration takes a few minutes and can be completed at the following link: <https://www.providerbridge.org/>.

For more information, please contact: Anne K. Lawler, JD, RN, Provider Bridge Program Officer at (208) 331-2341; email [alawler@fsmb.org](mailto:alawler@fsmb.org) or visit the website [here](#).

### **Make a Wish®**

Refer a child to [Make-A-Wish®](#). 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](http://wish.org). 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](#).

## **LEGISLATIVE TRACKING**

### **ALABAMA**

#### **HB 232** – Scope of Practice

Introduced by Representative Leigh Hulsey (R), HB 232 allows licensed physical therapists to conduct initial screenings of patients and eliminates the requirement that a patient for physical therapy have a referral from a licensed physician. The bill was introduced in the House and is pending referral to a committee.

#### **HB 247** – Certificate of Need

Introduced by Representative Benjamin Harrison (R), HB 247 repeals the certificate of need program and abolishes the state agencies, councils, and boards that either collect data in support of or operate the certificate of need program. The bill was introduced in the House and is pending referral to a committee.

#### **SB 173** – Scope of Practice

Introduced by Senator Shay Shelnett (R), SB 173 allows licensed physical therapists to conduct initial screenings of patients and eliminates the requirement that a patient for physical therapy have a referral from a licensed physician. The bill was introduced in the Senate and is pending referral to a committee.

### **ARIZONA**

#### **SB 1406** – Licensure

Introduced by Senator Janae Shamp (R), SB 1406 allows the medical board to grant a provisional medical license to an international medical licensee who meets the state's criteria and who is licensed to practice in a country other than the United States. The bill was introduced in the House and referred to the Health and Human Services Committee.

### **CALIFORNIA**

#### **SCR 71** – Cancer **ADOPTED**

Introduced by Senator Susan Rubio (D), SCR 71 declares September 2023 as Childhood Cancer Awareness Month. The bill was adopted February 28.

### **COLORADO**

#### **HB 1171** – Scope of Practice

Introduced by Representative Andrew Boesenecker (D), HB 1171 adds to the naturopathic formulary, including all legend drugs and controlled substance schedules III through V. The bill was introduced in the House and referred to the Health and Human Services Committee.

#### **SB 163** – Out of Network Billing

Introduced by Senator Dylan Roberts (D), SB 163 changes the arbitration requirements for out-of-network health insurance claims by requiring the arbitration process to include a batching process, by which multiple claims may be considered jointly and under the same arbitration fee as part of one payment determination in alignment with federal law. The bill was introduced in the Senate and referred to the Health and Human Services Committee.

## **CONNECTICUT**

### **[HB 5316](#) – Certificate of Need**

Introduced by the Joint Committee on Public Health, HB 5316 amends the definition of "large group practice" and "group practice" relating to the certificate of need (CON) program; annually reporting requirements to the attorney general; the types of large group practice transfers of ownership and acquisition of medical equipment requiring CON approval; and presumption in favor of CON approval for certain large group practice transfers of ownership. The bill was introduced in the House and referred to the Joint Committee on Public Health.

### **[HB 5424](#) – Criminalization**

Introduced by the Joint Committee on Public Health, HB 5424 prohibits adverse actions against health care providers for providing gender affirming health care services. The bill was introduced in the House and referred to the Joint Committee on Public Health.

### **[HB 5425](#) – Cancer**

Introduced by the Joint Committee on Public Health, HB 5425 establishes a pilot program to support community-based screening and education affecting high-risk male populations, for colorectal and prostate cancer. The bill was introduced in the House and referred to the Joint Committee on Public Health.

### **[SB 214](#) – Criminalization**

Introduced by the Joint Committee on Judiciary, SB 214 consolidates legal provisions concerning reproductive health care services and gender-affirming health care services; adds new provisions outlining circumstances under which monetary damages can be recovered. The bill was introduced in the Senate and referred to the Joint Committee on Judiciary.

### **[SB 276](#) – Patient Safety**

Introduced by the Joint Committee on Public Health, SB 276 prohibits representatives of medical device manufacturing companies from being present in the operating room while a patient is undergoing a surgical procedure, unless the representative is undergoing a surgical procedure themselves. The bill was introduced and referred to the Joint Committee on Public Health.

### **[SB 307](#) – Biomarker**

Introduced by Senator Jeff Gordon (R), SB 307 provides Medicaid coverage for biomarker testing for the purpose of diagnosis, treatment, appropriate management or ongoing monitoring of an enrollee's disease or condition. The bill was introduced in the Senate and referred to the Joint Committee on Human Services.

## **DELAWARE**

### [HB 302](#) – Cancer

Introduced by Representative Stephanie Bolden (D), HB 302 provides no cost-sharing prostate screening for men at high risk for prostate cancer who are over the age of 40. The bill was introduced in the House and referred to the Economic Development, Banking, Insurance, and Commerce Committee.

## **HAWAII**

### [HCR 53](#) – Biomarker

Introduced by Representative Jeanne Kapela (D), HCR 53 requests the state auditor to conduct a social and financial assessment of the effects of mandatory health insurance coverage for medically necessary biomarker testing. The bill was introduced in the House and referred to the Education Committee.

### [SCR 26](#) – Step-therapy

Introduced by Senator Brenton Awa (R), SCR 26 requests the state auditor to conduct a social and financial assessment of proposed mandatory health insurance coverage for step-therapy requirements for stage two through stage five cancer. The bill was introduced in the Senate and is pending referral to a committee.

## **KENTUCKY**

### [SB 305](#) – Certificate of Need

Introduced by Senator Gex Williams (R), SB 305 includes various health facilities and services exempt from certificate of need requirements, including abortion facilities. The bill was introduced in the Senate and referred to the Committee on Committees.

## **LOUISIANA**

### [HB 253](#) – Cancer

Introduced by Representative Joseph Stagni (R), HB 253 requires firefighters be provided up to eleven different cancer screening examinations including breast, prostate and cervical. The bill was introduced in the House and referred to the Municipal, Parochial and Cultural Affairs Committee.

### [HB 361](#) – Cancer

Introduced by Representative Joseph Stagni (R), HB 361 requires health insurers to remove references to specific tests regarding colorectal screenings and allow any test or screening recommended. The bill was introduced in the House and referred to the Insurance Committee.

### [HB 508](#) – Cancer

Introduced by Representative Lawrence Bagley (R), HB 508 provides decisions regarding treatment procedures performed following a diagnosis of cancer are to be made solely by the patient in consultation with attending physicians; clarifies all levels of medical and surgical treatment are medically necessary; prohibits exclusion from coverage. The bill was introduced in the House and referred to the Committee on Insurance.

### [HB 592](#) – Workplace Violence

Introduced by Representative Dustin Miller (D), HB 592 defines a regulated entity to include: a licensed healthcare facility or healthcare provider's office with five or more healthcare professionals; requires them to implement programs to mitigate and raise awareness of workplace violence. The bill was introduced in the House and referred to the Health and Welfare Committee.

### [HB 655](#) – Prior Authorization

Introduced by Representative Dustin Miller (D), HB 655 mandates a third party requiring prior authorization for a Medicaid healthcare service must accept authorization provided by the Louisiana Department of Health if covered under Medicaid. The bill was introduced in the House and referred to the Health and Welfare Committee.

### [SB 338](#) – Cancer

Introduced by Senator Gerald Boudreaux (D), SB 388 amends existing law to add contrast-enhanced mammograms and breast magnetic resonance imaging to standard mammography services. The bill was introduced in the Senate and referred to the Insurance Committee.

## **MAINE**

### [LD 1254](#) – Prior Authorization

Introduced by Representative Poppy Arford (D), LD 1254 allows a provider with a pending application to apply for a prior authorization of medications and services; requires the department of health and human services to make available prior authorization criteria to providers with a pending enrollment application; requires the department to cover medications and services delivered by a provider during the time the provider's application is pending. The bill was introduced in the House and referred to the Health and Human Services Committee.

## **MINNESOTA**

### [HF 527](#) – Workplace Violence

Introduced by Representative Mary Clardy (D), HF 527 increases the penalty for assaulting a healthcare professional to a felony charge; offenders could receive a maximum sentence of two years' imprisonment or a fine of up to \$4,000, or both. The bill was introduced in the House and referred to the Public Safety Finance and Policy Committee.

### [HF 1454](#) – Workplace Violence

Introduced by Representative Matt Grossell (R), HF 1454 increases the penalty for assaulting firefighters and medical personnel; offense changed to a felony; offenders face imprisonment for a maximum of three years or a fine not exceeding \$6,000, or both. The bill was introduced in the House and referred to the Public Safety Finance and Policy Committee.

### [HF 1882](#) – Criminalization

Introduced by Representative Paul Anderson (R), HF 1822 requires health care providers to provide patients with information about diagnosis, treatment, and prognosis orally and in writing; health-related licensing boards allowed to discipline providers for violations. The bill was introduced in the House and referred to the Health Finance and Policy Committee.

#### [HF 2494](#) – Licensure

Introduced by Representative Nathan Coulter (D), HF 2494 outlines requirements for obtaining a medical license; specifies conditions for licensure by endorsement/reciprocity; details disciplinary actions the board can take against licensees. The bill was introduced in the House and referred to the Health Finance and Policy Committee.

#### [SF 173](#) – Workplace Violence

Introduced by Senator Liz Boldon (D), SF 173 increases the penalty for assaulting a healthcare professional to a felony charge; offenders could receive a maximum sentence of two years' imprisonment or a fine of up to \$4,000, or both. The bill was introduced in the Senate and referred to the Judiciary and Public Safety Committee.

#### [SF 2408](#) – Workplace Violence

Introduced by Senator Andrew Lang (R), SF 2408 increases the penalty for assaulting firefighters and medical personnel; changes the offense to a felony; offenders may face imprisonment for a maximum of three years or a fine not exceeding \$6,000 or both. The bill was introduced in the Senate and referred to the Judiciary and Public Safety Committee.

### **MISSISSIPPI**

#### [HB 1649](#) – Scope of Practice

Introduced by Representative Clay Mansell (R), HB 1649 mandates anesthesiologist assistants may only perform duties delegated to them by a supervising anesthesiologist; prohibits the practicing as an anesthesiologist assistant without a license. The bill was introduced in the House and referred to the Public Health and Human Services Committee.

#### [HB 1652](#) – Scope of Practice

Introduced by Representative Dan Eubanks (R), HB 1652 allows an advanced practice registered nurse who completes 5,000 clinical practice hours to be exempt from maintaining a collaborative agreement with a physician. The bill was introduced in the House and referred to the Public Health and Human Services Committee.

#### [HB 1657](#) – Certificate of Need

Introduced by Representative Randy Boyd (R), HB 1657 removes the certificate of need requirement except for home health agencies, skilled nursing facilities, and long-term care facilities. The bill was introduced in the House and referred to the Public Health and Human Services Committee.

#### [SR 158](#) – Cancer

Introduced by Senator Devlin Robinson (R), SR 158 designates the month of September 2023 as "Prostate Cancer Awareness Month." The bill was introduced in the Senate and referred to the Rules and Executive Nominations Committee.

#### [SB 2140](#) – Prior Authorization **ENACTED**

Introduced by Senator Walter Michel (R), SB 2140 requires health insurers maintain a complete list of services for which prior authorization is required; provide requirements and restrictions for

prior authorization online; set requirements for the clinical review of prior authorization criteria; data available online. The bill was enacted without the governor's signature on February 29.

#### [SB 2755](#) – Prior Authorization

Introduced by Senator Walter Michel (R), SB 2755 prohibits insurers from denying a claim for failure to obtain prior authorization if the prior authorization requirement was not in effect on the date of service on the claim; make certain prior authorization statistics available online; and require health insurers to make a standardized electronic prior authorization request transaction process by 2025. The bill was introduced in the Senate and referred to the Insurance Committee.

### **MISSOURI**

#### [HB 1946](#) – STOP THE BLEED®

Introduced by Representative Brenda Shields (R), HB 1946 requires a traumatic blood loss protocol for school personnel; requires a bleeding control kit be placed in certain areas of the school; training for designated school personnel; maintenance of the bleeding control kits; Good Samaritan provision. The bill was introduced in the House and referred to the Crime Prevention and Public Safety Committee.

#### [HB 2758](#) – Criminalization

Introduced by Representative Sarah Unsicker (D), HB 2758 changes the offense of taking the life of a child aborted alive from its current classification of murder in the second degree to infanticide, which is a class A felony. The bill was introduced in the House and is pending referral to a committee.

#### [HB 2867](#) – Insurance

Introduced by Representative Melanie Stinnett (R), HB 2867 mandates when a health carrier changes its address or other pertinent information necessary for health care providers to file reimbursement claims, it must notify all participating providers via certified mail and electronic mail at least ninety days before the change takes effect. The bill was introduced in the House and is pending referral to a committee.

#### [HB 2875](#) – Cancer

Introduced by Representative Chantelle Nickson-Clark (D), HB 2875 requires coverage for a breast or cervical cancer screening and who is eligible for medical assistance has coverage regardless of whether the screening service was provided by a health care professional who participates in medical assistance. The bill was introduced in the House and is pending referral to a committee.

### **NEBRASKA**

#### [LB 829](#) – Cancer

Introduced by Senator Carol Blood (D) LB 829 prevents patients from being subjected to additional charges for any medical service associated with a colonoscopy including anesthesia and polyp removal. The bill was introduced in the Senate and referred to the Banking, Commerce, and Insurance Committee.



## **NEW HAMPSHIRE**

### [HB 1222](#) – Scope of Practice

Introduced by Representative David Rochefort (R), HB 1222 eliminates the requirement for a physician assistant to maintain a collaborative agreement with a physician. The bill was introduced in the House and referred to the Executive Departments and Administration Committee.

## **NEW JERSEY**

### [A 3858](#) – Insurance

Introduced by Assemblymember Herb Conaway (D), A 3858 requires health insurers to make data on health care claims publicly available, including: number of claims denied that were appealed and the number of appeals sustained and overturned, and the procedures of each medical specialty for the most frequently denied claims; revises utilization review management; to post whether or not the insurer uses an automated utilization management system and how many claims were reviewed using the automated system. The bill was introduced in the Assembly and referred to the Financial Institutions and Insurance Committee.

### [A 3939](#) – Cancer

Introduced by Assemblymember Sterley Stanley (D), A 3939 mandates access to periodic cancer screening examinations for professional firefighters not enrolled in state health benefit program (SHBP), but who are eligible for SHBP benefits by virtue of public employment. The bill was introduced in the Assembly and referred to the State and Local Government Committee.

### [S 2890](#) – Cancer

Introduced by Senator Linda Greenstein (D), S 2890 mandates access to periodic cancer screening examinations for professional firefighters not enrolled in state health benefit program (SHBP), but who are eligible for SHBP by virtue of public employment. The bill was introduced in the Senate and referred to the State Government, Wagering, Tourism and Historic Preservation Committee.

## **NEW MEXICO**

### [SB 135](#) – Step-Therapy **ENACTED**

Introduced by Senator Elizabeth Stefanics (D), SB 135 amends state law to mandate step-therapy, including cancer, autoimmune disorders, and behavioral health conditions, will not be subject to prior authorization and establishes clinical review criteria for certain step-therapy protocols. Governor Michelle Lujan Grisham (D) signed the bill into law March 1.

## **NEW YORK**

### [J 1894](#) – Trauma **ADOPTED**

Introduced by Senator Dean Murray (R), J 1894 proclaims March 2024 as brain injury awareness month in New York. The bill was adopted March 5.

## **NORTH CAROLINA**

### [H 560](#) – Cancer

Introduced by Representative Mary Belk (D), H 560 requires every health insurer providing benefits for a diagnostic or supplemental exam for breast cancer must ensure the cost-sharing requirements applicable to a diagnostic or supplemental exam for breast cancer are no less favorable than the cost-sharing requirements applicable to a low-dose screening mammography for breast cancer. The bill was introduced in the House and is pending referral to a committee.

### [H 650](#) – Surgical Smoke

Introduced by Representative Donna White (R), H 650 mandates ambulatory surgical facilities adopt and implement policies requiring the use of a smoke evacuation system. The bill was introduced in the House and referred to the Committee on Health.

### [H 707](#) – Workplace Violence

Introduced by Representative Reece Pyrtle (R) H 707 mandates anyone who commits an assault on an emergency health care provider with a firearm be charged with a Class B1 felony. The bill was introduced in the House and referred to the Judiciary Committee.

### [S 385](#) – Scope of Practice

Introduced by Senator Joyce Krawiec (R), S 385 requires the anesthesiologist supervising a certified registered nurse anesthetist performing anesthesia care comply with requirements including: performing a pre-anesthetic examination; prescribe the anesthesia plan; participate in and document the most demanding procedures in the anesthesia plan; monitor the course of anesthesia administration at frequent intervals; document they were present during some portion of the anesthesia monitoring; remain physically present and available for immediate diagnosis and treatment of emergencies. The bill was introduced in the Senate and referred to the Rules and Operations of the Senate Committee.

### [S 393](#) – Scope of Practice

Introduced by Senator Jim Burgin (R), S 393 requires a certified registered nurse anesthetist to be under the direct supervision of an anesthesiologist when conducting anesthesia activities for and during a surgical procedure; the anesthesiologist supervising a certified registered nurse anesthetist must be physically present during the performance of anesthesia activities. The bill was introduced in the Senate and referred to the Rules and Operations of the Senate Committee.

## **OHIO**

### [HB 68](#) – Criminalization **ENACTED**

Introduced by Representative Gary Click (R), HB 68 bans physicians from performing gender reassignment surgery on a minor and prescribing cross-sex hormone treatment. The bill became effective April 24 without the Governor Mike DeWine's (R) signature.

## **OKLAHOMA**

### [HB 3965](#) – Scope of Practice

Introduced by Representative Marcus McEntire (R), HB 3965 allows a physician assistant (PA) with 6,240 hours of clinical practice to work independently; requires the licensure board to post a list of PAs with more than 6,240 hours of clinical practice on their website; allows for the

prescribing of controlled substances III to V, medical supplies and services. The bill was introduced in the House and referred to the Rules Committee.

## **PENNSYLVANIA**

### [SB 378](#) – Surgical Smoke

Introduced by Senator Katie Muth (D), SB 378 mandates ambulatory surgical facilities or hospitals implement policies to prevent exposure to surgical smoke using a smoke evacuation system. The bill was introduced in the Senate and referred to the Health and Human Services Committee.

## **RHODE ISLAND**

### [HB 7737](#) – Cancer

Introduced by Representative Kathleen Fogarty (D), HB 7737 provides no cost-sharing requirements for any diagnostic or supplemental breast examinations. The bill was introduced in the House and referred to the Health and Human Services Committee.

### [HB 7822](#) – Step-therapy

Introduced by Representative Michelle McGraw (D), HB 7822 allows medical providers to request step-therapy exceptions. The bill was introduced in the House and referred to the Health and Human Services Committee.

### [HB 7825](#) – Licensure

Introduced by Representative David Bennett (D), HB 7825 creates a licensing board for certified surgical assistants. The bill was introduced in the House and referred to the Health and Human Services Committee.

### [SB 2611](#) – Step-Therapy

Introduced by Senator Linda Ujjifusa (D), SB 2611 allows medical providers to request step-therapy exceptions. The bill was introduced in the Senate and referred to the Health and Human Services Committee.

### [SB 2628](#) – Single Payer

Introduced by Senator Samuel Bell (D), SB 2628 establishes a single-payer health care insurance program. The bill was introduced in the Senate and referred to the Health and Human Services Committee.

### [SB 2703](#) – Criminalization

Introduced by Senator Elaine Morgan (R), SB 2703 establishes disciplinary procedures for physicians providing gender transition services for minors; a thirty-year statute of limitation; and right to a civil action for damages. The bill was introduced in the Senate and referred to the Health and Human Services Committee.

## **SOUTH CAROLINA**

### [HB 3785](#) – Scope of Practice

Introduced by Representative Neal Collins (R), HB 3785 removes the supervision requirement for certified registered nurse anesthetists, including administering medications, conducting

physical examinations, diagnosing certain conditions, and prescribing treatments. The bill was introduced in the House and referred to the Medical, Military, Public and Municipal Affairs Committee.

#### [HB 3877](#) – Scope of Practice

Introduced by Representative John West (R), HB 3877 increases the number of anesthesiologists' assistants an anesthesiologist may supervise from two to four. The bill was introduced in the House and referred to the Committee on Medical, Military, Public and Municipal Affairs.

#### [SB 432](#) – Workplace Violence

Introduced by Senator Thomas Alexander (R), SB 432 mandates a person who commits assault and battery in the first degree against a healthcare professional in the performance of their official duties is guilty of a felony; upon conviction must be imprisoned for not more than twenty years. The bill was introduced in the Senate and referred to the Judiciary Committee.

### **SOUTH DAKOTA**

#### [HB 1099](#) – Scope of Practice **ENACTED**

Introduced by Representative Sydney Davis (R), HB 1099 allows optometrists to provide diagnostic and therapeutic agents; the use of intense pulsed light for the treatment of dry eye disease; intradermal injection of a paralytic agent; the intralesional injection of a steroid to treat a chalazion; use of local anesthetic to remove a skin tag; and select laser to treat trabeculoplasty and posterior capsulotomy after providing evidence of education and training. Governor Kristi Noem (R) signed the bill into law March 5.

### **TENNESSEE**

#### [SB 1233](#) – Workplace Violence

Introduced by Senator Dawn White (R), SB 1233 expands the criminal offenses of assault and aggravated assault to include all healthcare providers; increases the offense to a Class D felony. The bill was introduced in the Senate and is pending referral to a committee.

### **WASHINGTON**

#### [HB 1954](#) – Criminalization **ENACTED**

Introduced by Representative Marcus Riccelli (D), HB 1954 prohibits disciplinary action or a license denial due to a health professional providing gender-affirming care or reproductive care “consistent with the standard of care in Washington.” Governor Jay Inslee (D) signed the bill into law March 7.

### **WEST VIRGINIA**

#### [HB 2128](#) – Cancer

Introduced by Delegate Brandon Steele (R), HB 2128 establishes a presumption of injury for firefighters who develop bladder cancer, mesothelioma, and testicular cancer; provides for reimbursement by the workers compensation fund. The bill was introduced in the House and referred to the Fire Departments and Emergency Medical Services Committee.

## WYOMING

### [HB 14](#) – Prior Authorization **ENACTED**

Introduced by the Joint Committee on Labor, Health, and Social Services, HB 14 requires health care plans to make prior authorization (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. Governor Mark Gordon signed the bill into law March 4.

### [HB 66](#) – Cancer **ENACTED**

Introduced by Representative Landon Brown (R), HB 66 authorizes firefighters to receive annual cancer screenings under the worker's compensation act. The bill was introduced in the House and is pending referral to a committee. Governor Mark Gordon (R) signed the bill into law March 4.

To view a complete list of bills ACS State Affairs is tracking, visit our online [State Legislative Tracker](#).