

State Legislative Update – August 23, 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. To view a complete list of bills ACS State Affairs is tracking, visit our online [State Legislative Tracker](#).

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 and Development
- Cancer Screening, Testing, and Treatment
- Insurance and 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, to hire a lobbyist, or other relevant advocacy functions such as travel costs for members, catering, venue rentals, printing, and more. To learn more information regarding the ACS State Advocacy Grants, apply [here](#).

IN THE NEWS

States are writing their own rules for Artificial Intelligence in health care

Artificial Intelligence (AI) is health care's biggest wild card and is drawing hundreds of millions of dollars in investment and health care [companies](#) and insurers are using it without oversight. Given the lack of movement at the federal level, regulation of AI is falling to the states to take action.

Colorado enacted the first comprehensive state AI laws (SB 205), placing limits on developers of AI systems that make "consequential decisions," including in health care. The law requires disclosures and limits on AI used in insurance. Utah is working to regulation mental health chatbots and health care professionals have to disclose when they have generative AI interact with a consumer. Read more [here](#).

STATUS OF LEGISLATIVE SESSIONS

The following state legislatures remain in session: California, Michigan, New Jersey, Ohio, and Pennsylvania. Nebraska is in special session.

Montana, Nevada, North Dakota, and Texas have no regular session in even-numbered years. Legislative session information can be found [here](#).

LEGISLATIVE TRACKING

CALIFORNIA

SR 122 – Cancer **ADOPTED**

Introduced by Senator Richard Roth (D), SR 122 designates September 2024 as Childhood Cancer Awareness Month. The bill was adopted August 15.

ILLINOIS

HB 4180 – Cancer **ENACTED**

Introduced by Representative Nabeela Syed (D), HB 4180 changes “women of a certain age” to “patients of a certain age”; requires coverage for molecular breast imaging and MRI of breast tissue; establishes quality standards for breast cancer treatment panel, including breast surgeons, surgeons, and reconstructive breast surgeons. Governor Jay Pritzker (D) signed the bill into law August 9.

HB 5239 – Criminalization **ENACTED**

Introduced by Representative Kelly Cassidy (D), HB 5239 prohibits the state from participating in or providing information for an interstate investigation seeking to impose civil or criminal liability against a person or entity who provided reproductive health care services lawful in the state; exempts any investigation if the conduct would be liable under state law. Governor Jay Pritzker (D) signed the bill into law June 21.

SB 2641 – Network Adequacy **ENACTED**

Introduced by Senator Linda Holmes (D), SB 2641 directs the department of insurance to determine whether the network plan at each in-network hospital and facility has a sufficient number of hospital-based medical specialists. Governor Jay Pritzker (D) signed the bill into law August 9.

SB 3547 – Cancer **ENACTED**

Introduced by Senator Suzy Hilton (D), SB 3547 requires breast cancer related educational materials to include clinical breast exams as a method for detecting breast cancer. Governor Jay Pritzker (D) signed the bill into law August 9.

SB 3548 – Trauma **ENACTED**

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. Governor Jay Pritzker (D) signed the bill into law August 9.

MASSACHUSETTS

S 2856 – Licensure

Introduced by the Senate Ways and Means Committee, S 2856 allows internationally trained physicians to apply for a 1-year limited license, which may be renewed once; if the licensee completes a facility's assessment and evaluation program and USMLE Step 3, they become eligible for a two-year restricted license, which can be renewed once, to practice in a physician shortage area designated by the Board; after two years of practice with the renewed license, the

IMG is eligible to apply for a full, unrestricted license. The bill was introduced in the Senate and referred to the Ways and Means Committee.

MICHIGAN

[HB 5741](#) – STOP THE BLEED®

Introduced by Representative Mike Harris (R), HB 5741 requires schools to incorporate STB training into high school health classes and provide bleeding control kits in schools. The bill was introduced in the House and referred to the Judiciary Committee.

PENNSYLVANIA

[SB 739](#) – Telemedicine **ENACTED**

Introduced by Senator Elder Vogel, SB 739 requires each health care licensure board to ensure the use of telemedicine is consistent with the licensee's scope of practice and meets the same standard of care as an in-person visit; a separate standard of care may not be established; provides compliance standards; does not apply to emergency services; requires health insurers to cover telehealth services. Governor Josh Shapiro (D) signed the bill into law July 3.