Legislative Update – What’s Ahead for Texas Children and Pediatricians in 2015
Ryan Van Ramshorst, MD and James Lukefahr, MD

Texas Legislative Update: A Review of the 84th Legislature and Impact on Children

JULY 10, 2015
UTHSCSA PEDIATRIC GRAND ROUNDS

CLAYTON TRAVIS, MSSW
JIM LUKEFAHR, MD
RYAN VAN RAMSHORST, MD

Disclosure (I)

Ryan D. Van Ramshorst, MD, has no relationships with commercial companies to disclose.
James L. Lukefahr, MD, has no relationships with commercial companies to disclose.
Clayton Travis, MSSW, has no relationships with commercial companies to disclose.

Disclosure (II)

The views expressed in this presentation do not necessarily reflect those of the University of Texas Health Science Center at San Antonio or University Health System/Community Medicine Associates.

Learning Objectives

At the end of this presentation the participant will be able to:
1. Briefly describe the state legislative process
2. Review the major legislative accomplishments and shortfalls pertaining to children & pediatrics in the 84th Texas Legislature
3. Review physician advocacy and describe ways health care providers can advocate for their patients

Before we begin… consider “The Twitter”

- Consider tweeting about this presentation!
  #Tweetiatrician
  #PutKids1st
  #InvestInKids
  @TxPeds
  @TexasPediDoc
  @JamesLukefahr
  @ClaytonTravis2
- Please be careful what you tweet

The 84th Texas Legislature
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Who Represents Us (and Our Patients) (I)

- Bicameral legislature
- Texas State Senate
  - 21 Senatorial seats
  - 20 Republicans and 11 Democrats
  - 3 practicing physicians
  - One of the most conservative Texas State Senates ever
    - 2/3 vote → 3/5 vote
    - Pertinent committees:
      - Health & Human Services
      - Higher Education
      - Finance

Who Represents Us (and Our Patients) (II)

- Bicameral legislature
- Texas House of Representatives
  - 150 House seats
  - 95 Republicans and 55 Democrats
  - Speaker of the House (Rep. Straus) from San Antonio
  - 3 practicing physicians
  - 3 registered nurses
  - Bexar County delegation includes >10 members
  - One of the most conservative Texas House of Representatives ever
  - Pertinent committees:
    - Appropriations
    - Public Health
    - Higher Education

Who Represents Us (and Our Patients) (III)

- Do you know who represents you?
  - The website is even mobile-friendly!

Who Represents Us (and Our Patients) (IV)

- When working with elected officials consider:
  - The degree to which the activity is personal
  - The number of people you have to engage

How A Bill Becomes A Law (I)

- Who can design a bill?
  - The people
  - Organizations
  - Legislators
  - Interim committees

How A Bill Becomes A Law (II)

- What is the process?
  - Introduced in House or Senate
  - First reading
  - Referred to pertinent committee
  - Second and third readings
  - Pass to other house (and repeat steps 2-4)
  - Conference
  - Governor

- System is designed to NOT pass new legislation
  - Over 10 ways in which a bill can be killed
  - Over 11,000 bills filed during 84th Texas Legislature
  - TPS closely followed over 30 individual bills (including both versions of the budget)
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Current State of Budget Proposals

<table>
<thead>
<tr>
<th>Article II: HHS</th>
<th>House Passed Bill</th>
<th>Senate Passed Bill</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenue (GR)</td>
<td>+ $ 1.5 billion GR</td>
<td>+ $ 1.1 billion GR</td>
</tr>
<tr>
<td>All Funds (AF)</td>
<td>+ $ 3.2 billion AF</td>
<td>+ $ 2.3 billion AF</td>
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</tbody>
</table>

Health and Human Services Commission

<table>
<thead>
<tr>
<th>Total Adjustments</th>
<th>House Passed Bill</th>
<th>Senate Passed Bill</th>
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</thead>
<tbody>
<tr>
<td>$ 901.3 million GR</td>
<td>+ $ 901.3 million GR</td>
<td>+ $ 773.7 million GR</td>
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<tr>
<td>$ 2,265.0 million AF</td>
<td>+ $ 2,265.0 million AF</td>
<td>+ $ 1,641.1 million AF</td>
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Medicaid Cost Growth (Acute Care)

<table>
<thead>
<tr>
<th>Medicaid Cost Growth</th>
<th>House Passed Bill</th>
<th>Senate Passed Bill</th>
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<tbody>
<tr>
<td>$ 678.7 million GR</td>
<td>+ $ 678.7 million GR</td>
<td>+ $ 1,590.2 million AF</td>
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<tr>
<td>$ 1,500.2 million AF</td>
<td>+ $ 1,500.2 million AF</td>
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Medicaid Cost Containment

<table>
<thead>
<tr>
<th>Medicaid Cost Containment</th>
<th>House Passed Bill</th>
<th>Senate Passed Bill</th>
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<tbody>
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<td>$ 373.0 million GR</td>
<td>+ $ 373.0 million GR</td>
<td>+ $ 869.6 million AF</td>
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<tr>
<td>$ 869.6 million AF</td>
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Medicaid Primary Care (Medicare Parity)

<table>
<thead>
<tr>
<th>Medicaid Primary Care (Medicare Parity)</th>
<th>House Passed Bill</th>
<th>Senate Passed Bill</th>
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</thead>
<tbody>
<tr>
<td>$ 460.0 million GR</td>
<td>+ $ 460.0 million GR</td>
<td>+ $ 460.0 million GR</td>
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<tr>
<td>$ 1,096.0 million AF</td>
<td>+ $ 1,096.0 million AF</td>
<td>+ $ 1,096.0 million AF</td>
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</tbody>
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| 0.0 | + $ 0.0 |

Current State of Budget Proposals

<table>
<thead>
<tr>
<th>Department of Family and Protective Services</th>
<th>House Passed Bill</th>
<th>Senate Passed Bill</th>
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</thead>
<tbody>
<tr>
<td>Total Adjustments</td>
<td>+ $ 119.4 million GR</td>
<td>+ $ 135.9 million GR</td>
</tr>
<tr>
<td>Shaken Baby Syndrome &amp; Safe Sleep Initiatives</td>
<td>$ 0.0</td>
<td>+ $ 2.0 million GR</td>
</tr>
<tr>
<td>Other Prevention Programs</td>
<td>$ 0.0</td>
<td>+ $ 4.8 million GR</td>
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Department of Assistive and Rehabilitative Services

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<thead>
<tr>
<th>Total Adjustments</th>
<th>House Passed Bill</th>
<th>Senate Passed Bill</th>
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<tbody>
<tr>
<td>$ 16.4 million GR</td>
<td>+ $ 16.4 million GR</td>
<td>+ $ 8.4 million GR</td>
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<tr>
<td>Early Childhood Intervention</td>
<td>+ $ 3.8 million GR</td>
<td>+ $ 3.8 million GR</td>
</tr>
<tr>
<td>+ $ 5.9 million AF</td>
<td>+ $ 5.9 million AF</td>
<td>+ $ 5.9 million AF</td>
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Budget Process

- Conference committee members named shortly after
- Conferees negotiate differences in budget
- TPS main priorities:
  - Medicaid primary care rate increases
  - GME investment and preceptorship program

TPS Legislative Priorities

- Strengthen provider participation in Medicaid and CHIP through enhanced rates
  - $460M GR in House passed budget bill
- Encourage policies to improve the integrity of Medicaid managed care practices to balance administrative burden and proper utilization management
- Support initiatives to ensure all eligible, but unenrolled Texas children obtain health coverage by:
  - SB 1127 (Zaffirini): Providing 12 month continuous eligibility in Children’s Medicaid. Referred to Sen HHS.
  - HB 1339 (Gutierrez): Eliminating CHIP waiting periods. Referred to House Insurance.
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Building a Stronger Healthcare Workforce

- Further invest in GME programs to keep medical students in the state
  - SB 18 (Nelson): Invests in GME residency slots for critical shortage specialties. Passed the Senate
- Maintain the state’s investment in the Physician Education Loan Repayment Program
  - Funding maintained in both House & Senate budget bills
- Reinvest funding for the Primary Care Preceptorships to encourage more students to practice in primary care fields
  - SB 18 (Nelson): Includes $3M for Primary Care Preceptorship programs. Passed the Senate.
- Support initiatives to alleviate Texas’ dire mental health workforce shortage
  - SB 239 (Schwertner): Creates a loan repayment program for MH professionals. Voted favorably from Sen Higher Education.

Strengthen Texas’ Public Health Infrastructure

- Preserve immunization data for individuals who have opted in to the immunization registry
  - HB 2171 (Sheffield): Maintains ImmTrac records till the age of 26. Voted favorably from House Public Health.
- Support regulation of e-cigarettes including youth access and marketing to youth
  - SB 97 (Perry): Prohibits minor access and marketing, requires child packaging. Passed the Senate; referred to House Public Health.
- Support policies that improve the quality and quantity of health education, nutrition, physical education and physical activity in school
  - HB 206 (Rodriguez): Provides grants to schools to promote access to fresh produce
  - HB 1616 (Rodriguez): Creates a pilot project to provide double dollars for produce purchases for SNAP and WIC recipients
  - HB 1202 (Munoz): Creates a Community Nutrition Program Policy Advisory Council to advise the TX Dept of Agriculture on school nutrition policies

Strengthen Texas’ Public Health Infrastructure

- Support expansion of funding chronic disease prevention such as asthma, juvenile diabetes and tobacco
  - Funding for these items included in Article II of the Senate budget
- Support a statewide ban on texting while driving
  - HB 80 (Craddick): Misdemeanor to use portable wireless device to text. Passed the House.
- Ensure continued for the Youth Empowerment Services (YES) Waiver to prevent kids with serious mental illness from relinquishment and unnecessary hospitalizations
  - Funding maintained in both House & Senate budgets

Problematic Bills

- HB 1263 (Raymond): Provides direct access to physical therapy. Voted favorably in House Public Health
- HB 767 (Smith): Requires an ECG screen before participating in UIL athletics. Passed the House.
- SB 11 (Birdwell): Allows for the open carry of handguns on campuses of higher education. Passed the Senate.
- HB 91 (Flynn): Expands the sale of raw milk at farmers markets. Hearing next week.
- HB 2823 (Spitzer): Prohibits a physician from asking a patient about gun ownership

3rd Annual TPS Medical Student/Resident Advocacy Day

- Nearly 80 residents/medical students in attendance
- >20 faculty/attending physicians as group leaders
- Presentations from TPS leadership, Rep. John Zerwas, CHAT government relations partners and AAP SOMSRTF representatives
- More than 40 legislative visits to talk about TPS priorities

3rd Annual TPS Medical Student/Resident Advocacy Day

- Residents and Medical students made visits regarding
  - Enhanced GME funding and the Primary Care Preceptorship Program
  - Continuing primary care Medicaid parity rates
- Participants also put in 50+ cards of support for TPS vaccination
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Key Dates
- Sine Die is Monday, June 1, 2015
- Gubernatorial veto period ends on June 21, 2015
- Possible special sessions through Summer
- Debate over school funding following lawsuit

Stay informed!
- Texas Pediatric Society
- Advocates for Texas Children
- TPS Advocacy!

Follow TPS Advocacy!

Thank you!