



State Legislative 2019 Prospectus Survey Results

December 2018

Background and Objectives

The American Medical Association (AMA) Advocacy Resource Center conducts an annual state legislative and regulatory priorities survey among state and national medical specialty societies.

Objectives:

1. To identify trends for the upcoming 2019 state legislative sessions.
2. To get a clear picture of the top issues facing organized medicine at the state level.

Overview of Study Design

Methodology: An online survey was distributed to state and national medical specialty societies from November 8, 2018 - December 7, 2018 using the Qualtrics survey platform.

Sample Size: Out of the total 380 survey invitations sent out via email, 89 respondents started the survey, and 75 completed the survey (20% response rate). The 75 respondents are broken out by Association as follows.

State Association Respondents	Specialty Society Respondents	National Association Respondents
N=55	N=19	N=1



Summary of Results

2019 Top Legislative and Regulatory Priorities



For the total survey respondents, the top legislative priorities in 2019 are expected to be **scope of practice, prior authorization, balance/out-of-network billing, and medication-assisted treatment (MAT).**

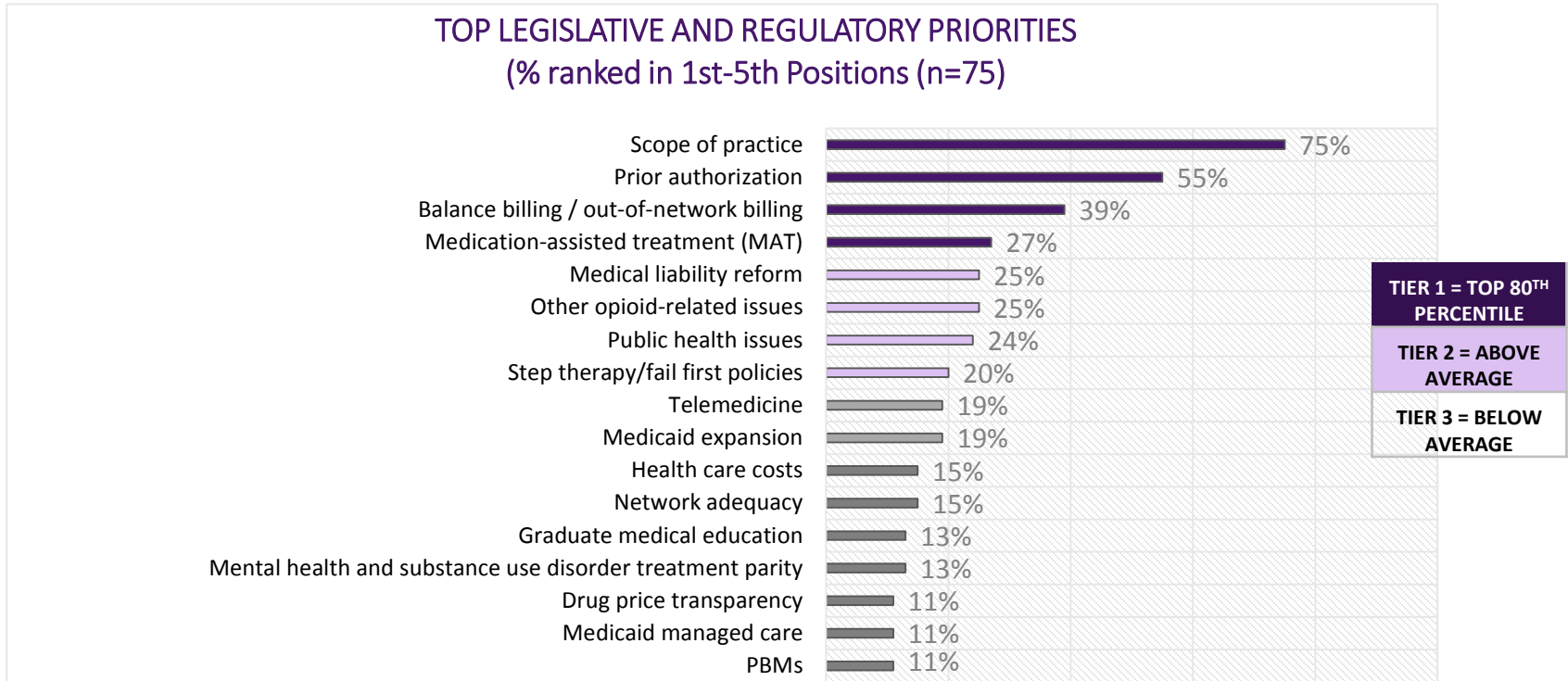


Respondents from state associations prioritize **scope of practice, prior authorization, balance/out-of-network billing, medication-assisted treatment (MAT) and opioid-related issues.**



Respondents from specialty societies prioritize **prior authorization, scope of practice, network adequacy, step therapy/fail first policies and balance/out-of-network billing.**

Scope of practice, prior authorization, balance/out-of-network billing, and medication-assisted treatment are at the top of state legislative priorities for 2019.



TIER 1 = TOP 80TH PERCENTILE

TIER 2 = ABOVE AVERAGE

TIER 3 = BELOW AVERAGE

Q9 Review the list of legislative and regulatory priorities below. Rank your society's top 5 priorities for 2019, with 1 being your highest priority.

* Note: Data for National Medical Association not shown because only one respondent fell into that category. Additional data can be found in the appendix.

Top Priorities by Total Respondents, State Association Respondents and Specialty Society Respondents

LEGISLATIVE PRIORITIES (% rated one of top 5)	Total (n=75)	State Association (n=55)	Specialty Association (n=19)
Scope of practice	75%	82%	53%
Prior authorization	55%	49%	74%
Balance billing / out-of-network billing	39%	42%	32%
Medication-assisted treatment (MAT)	27%	33%	11%
Medical liability reform	25%	27%	21%
Other opioid-related issues	25%	31%	11%
Public health issues	24%	27%	16%
Step therapy/fail first policies	20%	15%	37%
Telemedicine	19%	22%	11%
Medicaid expansion	19%	20%	11%
Health care costs	15%	16%	11%
Network adequacy	15%	5%	42%
Graduate medical education	13%	15%	5%
Mental health and substance use disorder treatment parity	13%	11%	21%
Drug price transparency	11%	7%	21%
Medicaid managed care	11%	13%	5%
PBMs	11%	7%	21%
Credentialing issues	8%	7%	11%
Medicaid program integrity	7%	7%	5%
Merger and antitrust issues	4%	5%	0%
Market stability	3%	0%	5%
Other (e.g. Medicaid fees, Rx restrictions, fixing previous legislation)	47%	40%	63%

Q9 Review the list of legislative and regulatory priorities below. Rank your society's top 5 priorities for 2019, with 1 being your highest priority.

* Note: Data for National Medical Association not shown because only one respondent fell into that category. Additional data can be found in the appendix.



Legislative and Regulatory Priorities by State Associations (slide 1 of 2)

	AK	AL	AR	AZ	CA	CO	CT	DC	DE	FL	GA	HI	IA	ID	IL	IN	KS	KY	LA	MA	MD	ME	MI	MN	MO
Scope of practice	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X		X		X
Prior authorization			X				X	X	X		X				X	X		X	X			X	X	X	X
Balance billing / out-of-network billing	X		X			X	X				X			X				X	X	X					
Medication-assisted treatment (MAT)							X	X	X				X					X		X		X	X	X	
Medical liability reform			X			X				X								X	X		X				
Other opioid-related issues		X		X		X				X											X			X	X
Public health issues				X	X			X		X						X	X					X		X	
Step therapy/fail first policies								X	X													X			
Telemedicine		X		X									X		X				X	X					
Medicaid expansion	X			X							X			X			X				X	X			
Health care costs	X	X			X	X														X					X
Network adequacy						X					X	X													
Graduate medical education					X							X		X		X									
Mental health and substance use disorder treatment parity	X																						X		
Drug price transparency						X						X				X				X					
Medicaid managed care													X		X		X								X
PBMs					X									X											
Credentialing issues																							X		
Medicaid program integrity								X																	
Merger and antitrust issues												X													
Market stability																									
Other		X	X			X	X			X			X		X		X				X			X	

Legislative and Regulatory Priorities by State Associations (slide 2 of 2)

	MS	MT	NC	ND	NE	NH	NJ	NM	NV	NY	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VA	VT	WA	WI	WV	WY
Scope of practice	X	X	X		X	X	X	X	X	X	X	X		X		X	X	X	X	X		X		X	X	X
Prior authorization		X				X	X	X		X			X	X	X				X	X	X		X		X	
Balance billing / out-of-network billing			X				X	X	X		X				X			X	X	X	X		X			
Medication-assisted treatment (MAT)		X				X	X								X			X				X		X	X	
Medical liability reform			X					X	X	X		X	X			X					X		X			
Other opioid-related issues		X			X				X			X		X			X	X							X	X
Public health issues	X		X	X	X	X																X			X	
Step therapy/fail first policies							X		X				X								X					
Telemedicine											X	X		X			X							X		X
Medicaid expansion		X		X							X									X						
Health care costs																			X							X
Network adequacy																										
Graduate medical education												X					X							X		X
Mental health and substance use disorder treatment parity						X									X			X					X			
Drug price transparency																										
Medicaid managed care			X		X													X								
PBMs													X					X								
Credentialing issues					X										X					X						
Medicaid program integrity													X				X					X				
Merger and antitrust issues										X									X							
Market stability																										
Other	X			X				X		X	X			X		X					X	X	X	X		

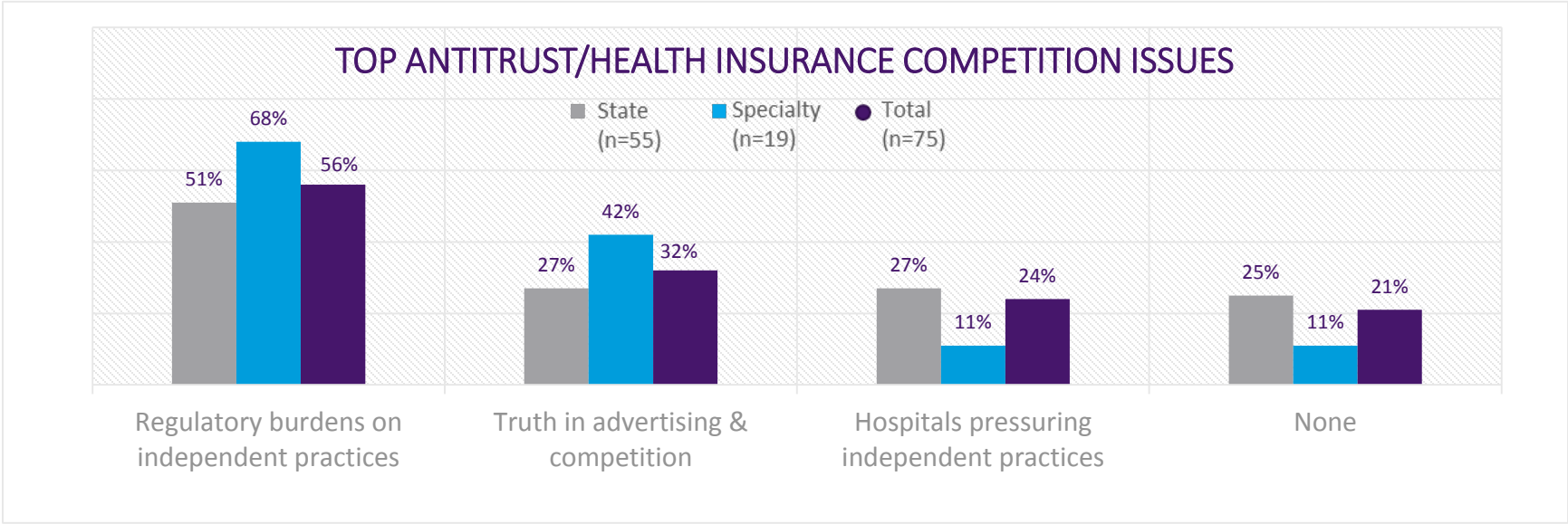
Legislative and Regulatory Priorities by Specialty Societies

	ASAM	ACC	AADA	ASDS	ACEP	AAFP	AANS	ACOG	ASCO	AAO	CAP	ASPS	APA	ACR	Rheum	CSRO	AACU	ACC	AOA
Scope of practice			X	X				X		X	X	X	X	X				X	X
Prior authorization	X	X	X			X	X		X		X		X	X	X	X	X	X	
Balance billing / out-of-network billing					X		X				X	X		X					
Medication-assisted treatment (MAT)	X												X						
Medical liability reform							X			X							X	X	
Other opioid-related issues	X								X										X
Public health issues		X						X											X
Step therapy/fail first policies	X	X	X						X						X	X	X		
Telemedicine		X											X						
Medicaid expansion						X												X	X
Health care costs						X	X												
Network adequacy		X		X	X		X				X	X		X					
Graduate medical education																	X		X
Mental health and substance use disorder treatment parity	X				X			X					X						
Medicaid managed care					X														
PBMs				X					X						X	X			
Credentialing issues				X						X									
Drug price transparency			X							X					X	X			
Medicaid program integrity								X											
Merger and antitrust issues																			
Market stability															X				X
Other			X	X	X	X		X	X	X		X		X		X	X		X

A man in a white lab coat is looking down at a tablet computer. He is in a laboratory setting, with a microscope and other equipment visible in the background. The lighting is dim, with a blueish-purple hue. The text "Specific Issues: Legislative Priorities" is overlaid on the image in white.

Specific Issues: Legislative Priorities

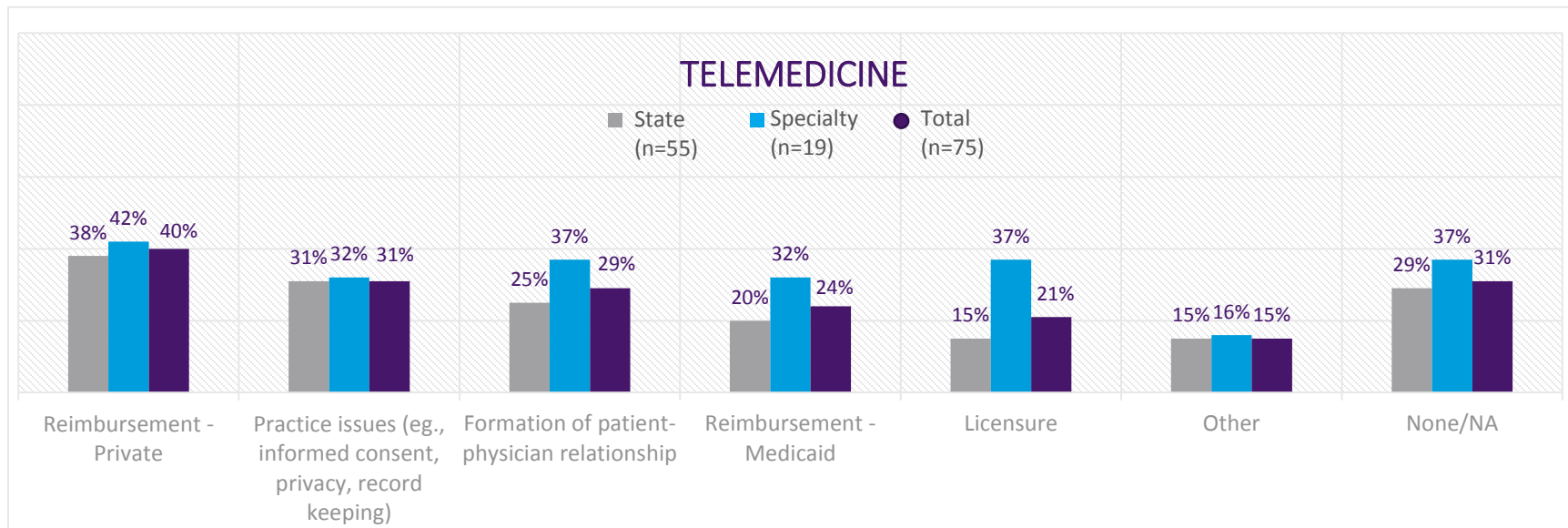
In the antitrust/health insurance area, regulatory burdens on independent practices will be a priority for 56% of total respondents.



Q10 Does your society intend to work on any of the following Antitrust or Health Insurance Competition issues? Select all that apply to your society.
* NOTE: Data for National Medical Association not shown because only one respondent fell into that category. Total exceeds 100% since this is a multiple-select question. Additional data can be found in the appendix.



In the telemedicine area, 40% of total respondents expect activity related to private reimbursement. Almost one-third expect activity related to practices issues (31%).

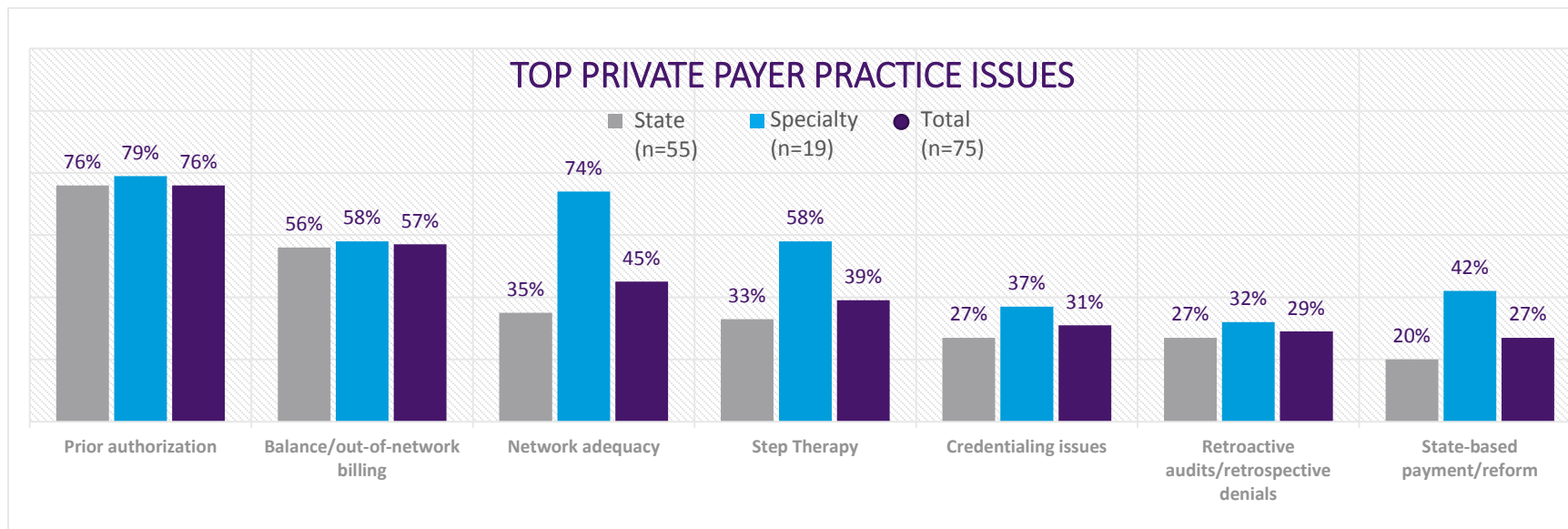


^Tier 1 Response: Top 80 PCT

Q11 Indicate if you expect legislative or regulatory activity on the following telemedicine issues in 2019. Select all that apply to your society.

* NOTE: Data for National Medical Association not shown because only one respondent fell into that category. Total exceeds 100% since this is a multiple-select question.

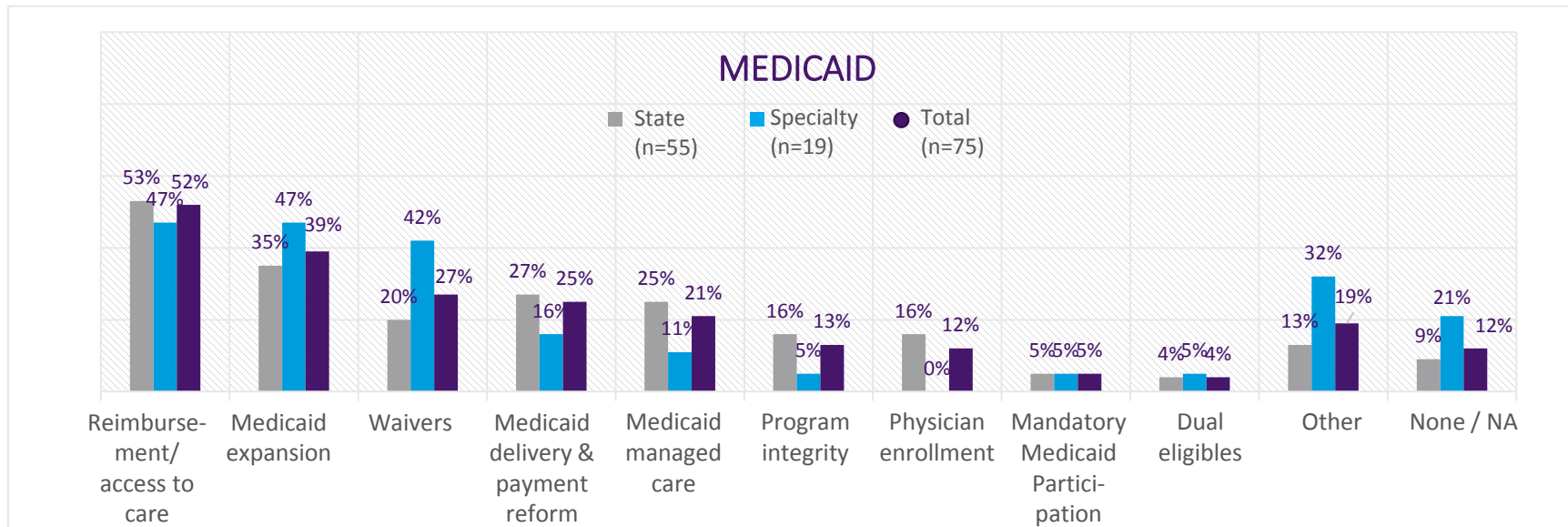
Prior authorization (76%) and balance/out of network billing (57%) are the top private payer issues overall. More than half of total respondents expect activity on these issues.



Q12 Indicate if you expect legislative or regulatory activity on the following issues related to private payer practices in 2019. Select all that apply to your society.

* NOTE: Data for National Medical Association not shown because only one respondent fell into that category. Total exceeds 100% since this is a multiple-select question. Additional data can be found in the appendix.

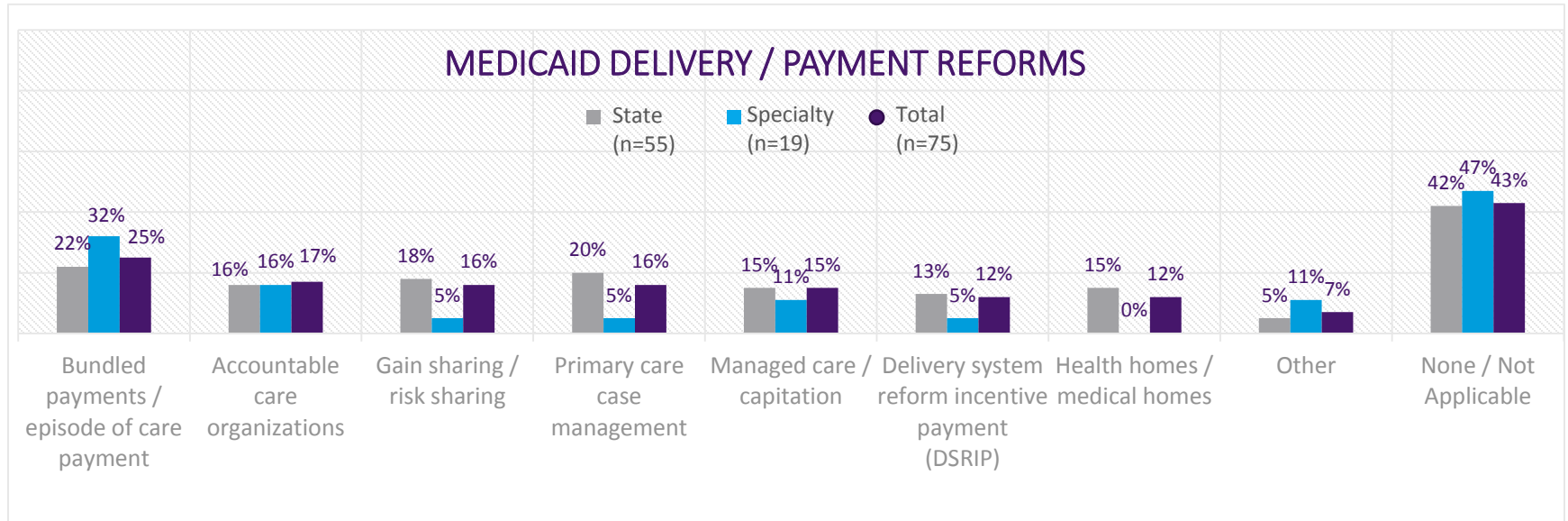
Among total respondents, the top priorities for Medicaid in 2019 include physician reimbursement/ access to care (52%) and Medicaid expansion (39%).



Q13 Indicate if you expect legislative or regulatory activity on the following Medicaid issues in 2019. Select all that apply to your society.

* NOTE: Data for National Medical Association not shown because only one respondent fell into that category. Total exceeds 100% since this is a multiple-select question.

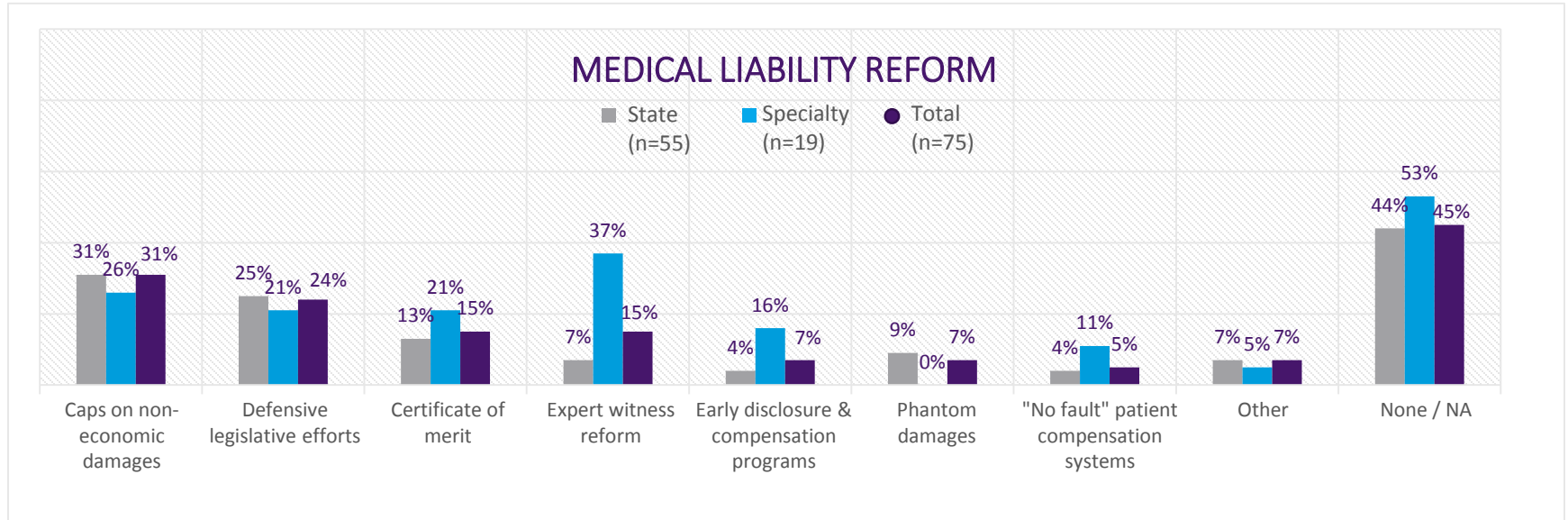
43% of total respondents do not expect any legislative activity related to Medicaid delivery or payment reforms in 2019. About one-quarter (25%) expect activity related to bundled payments.



Q14 Indicate if you expect to address any of the following delivery or payment reforms related to Medicaid in 2019. Select all that apply to your society.

* NOTE: Data for National Medical Association not shown because only one respondent fell into that category. Total exceeds 100% since this is a multiple-select question.

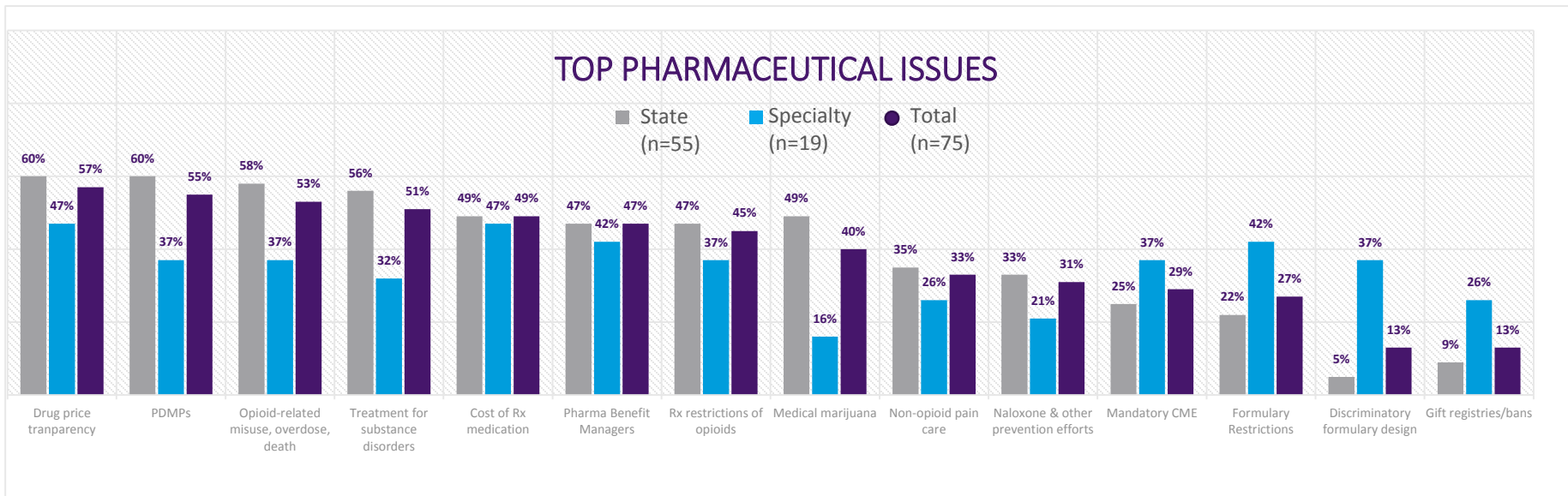
Almost half of respondents do not expect activity on medical liability reform (45%), but those that do prioritize caps on non-economic damages (31%) and defensive legislative efforts (24%).



Q15 Indicate if you expect legislative or regulatory activity on the following medical liability reform issues in 2019. Select all that apply to your society.

* NOTE: Data for National Medical Association not shown because only one respondent fell into that category. Total exceeds 100% since this is a multiple-select question.

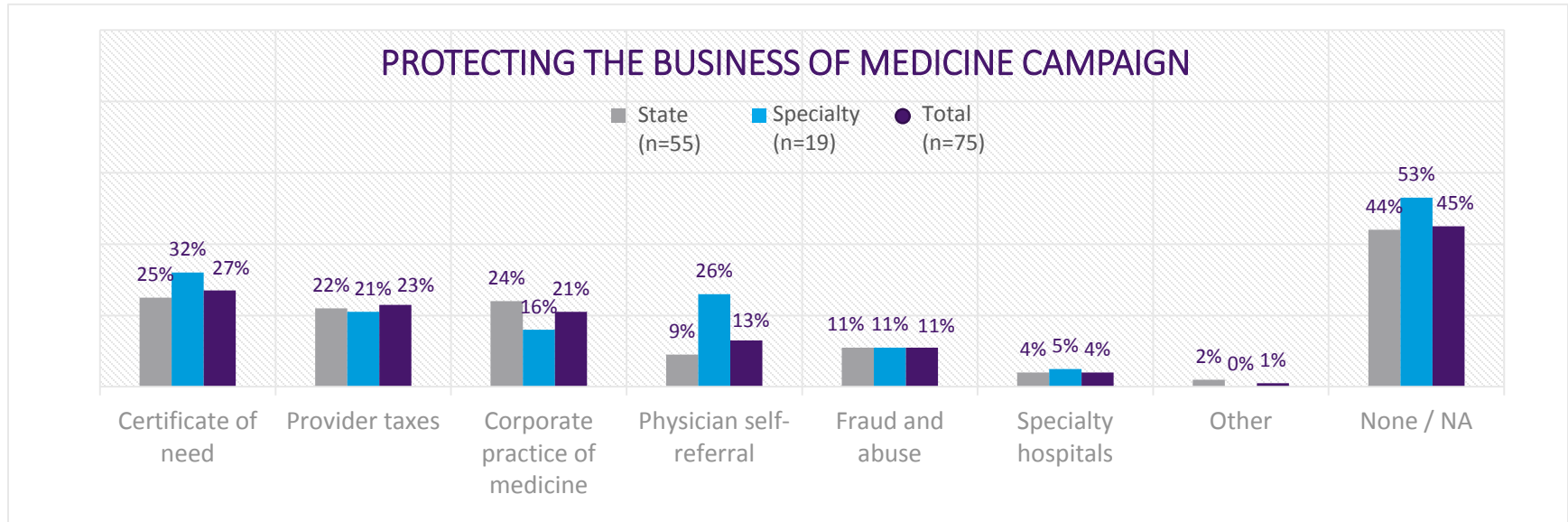
In the area of pharmaceutical issues, state association respondents expect activity related to drug price transparency (60%) and PDMPs (60%), while specialty society respondents expect activity related to drug price transparency (47%) and cost of prescription medication (47%).



Q16 Indicate if you expect legislative or regulatory activity on the following pharmaceutical issues in 2019. Select all that apply to your society.

* NOTE: Data for National Medical Association not shown because only one respondent fell into that category. Total exceeds 100% since this is a multiple-select question. Additional data can be found in the appendix.

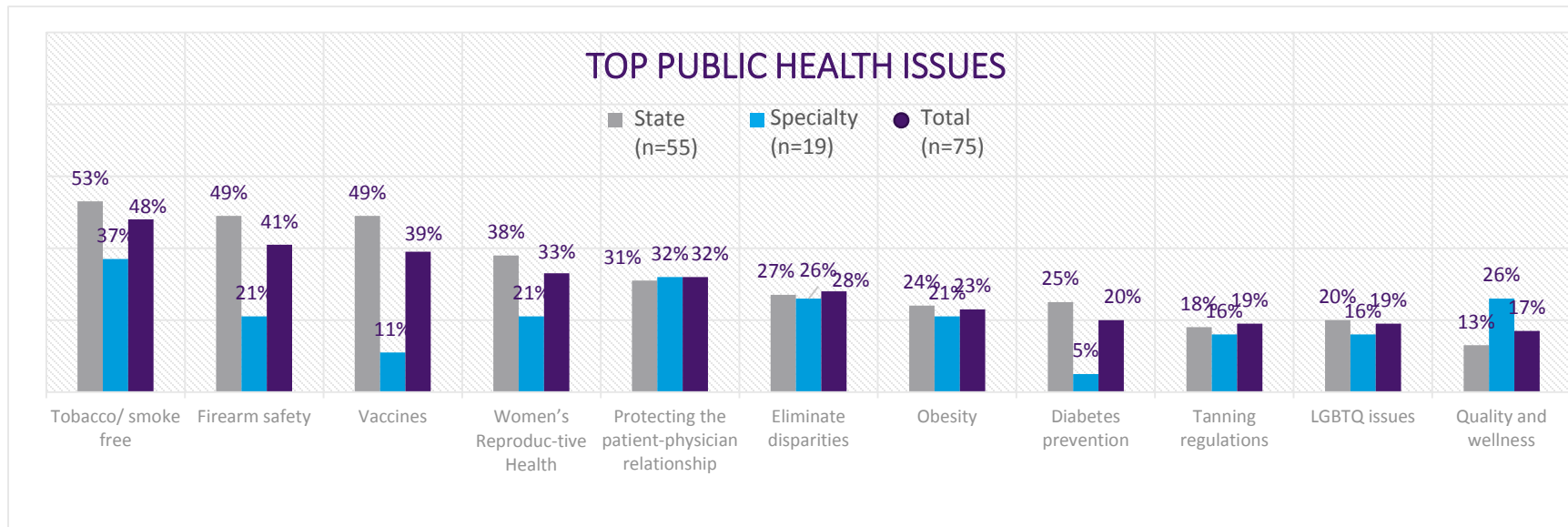
While almost half of respondents do not expect to see activity related to the Protecting the Business of Medicine campaign (45%), those that do, prioritize certificate of need regulations (27%).



Q17 Indicate if you expect legislative or regulatory activity on the following issues related to the ARC's Protecting the Business of Medicine campaign in 2019. Select all that apply to your society.

* NOTE: Data for National Medical Association not shown because only one respondent fell into that category. Total exceeds 100% since this is a multiple-select question.

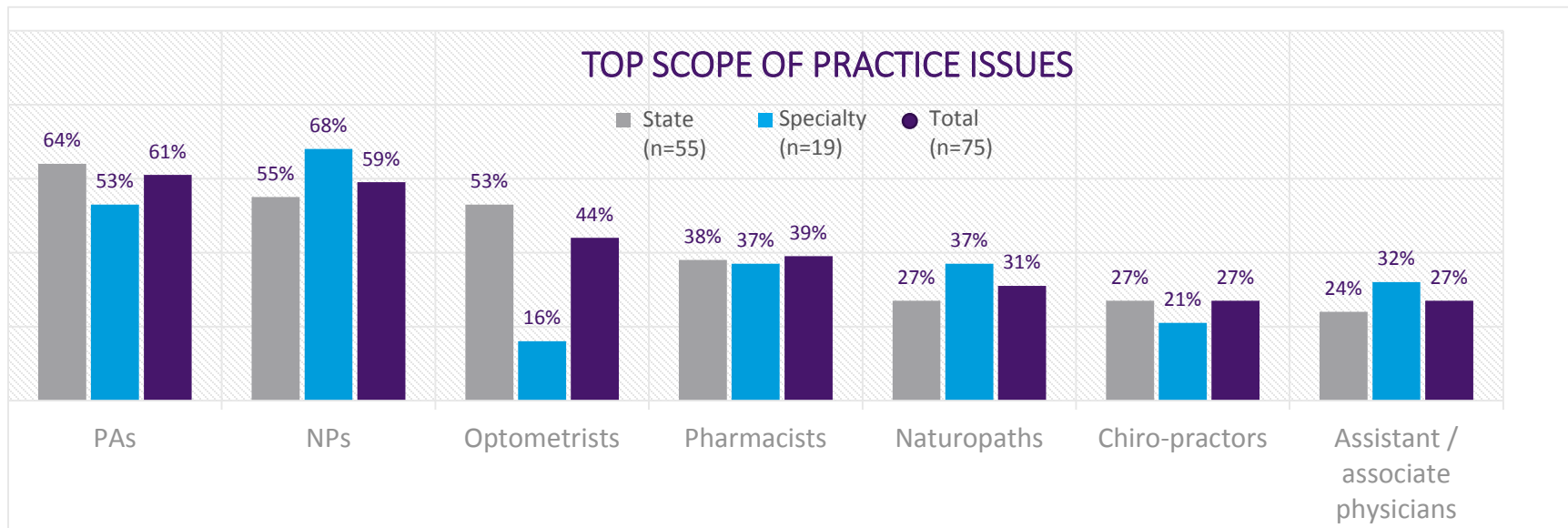
About half of total respondents say a top public health issue will be tobacco (48%). Specifically, those in state associations expect activity related to tobacco (53%), firearm safety (49%) and vaccines (49%). Those in specialty societies expect activity related to tobacco (37%) and protecting the patient-physician relationship (32%).



Q18 Indicate if you expect legislative or regulatory activity on the following public health issues in 2019. Select all that apply to your society.

* NOTE: Data for National Medical Association not shown because only one respondent fell into that category. Total exceeds 100% since this is a multiple-select question. Additional data can be found in the appendix.

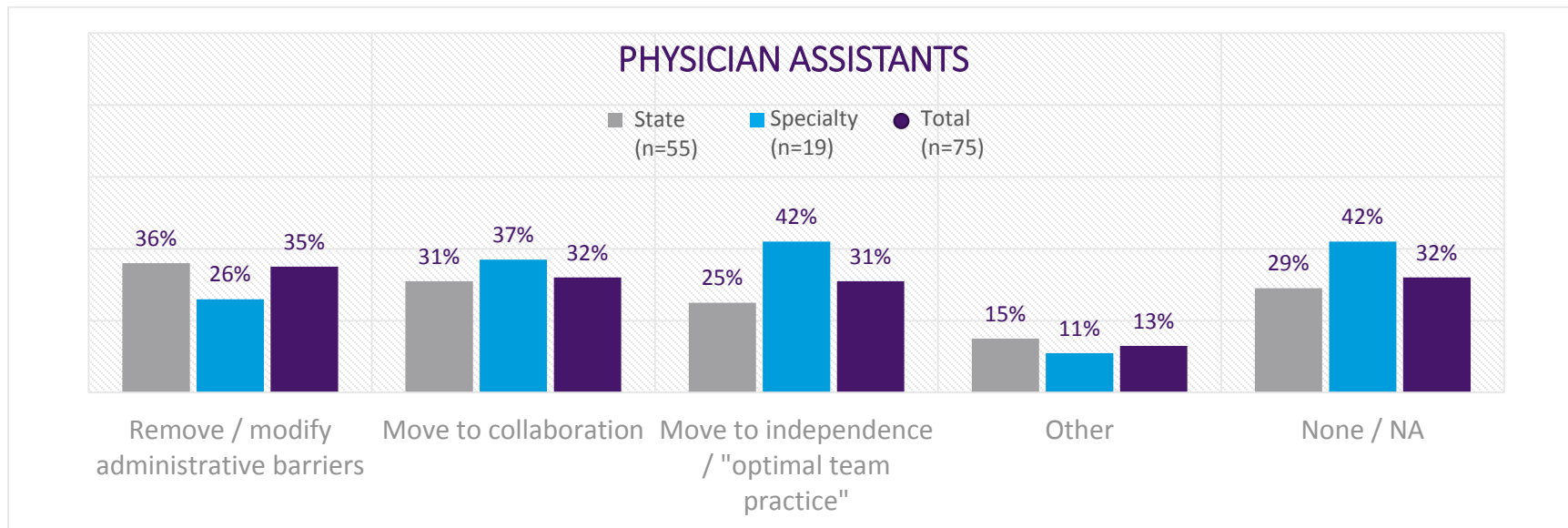
Six out of ten of total respondents expect to see legislative activity on scope of practice related to Physician Assistants (61%) and Nurse Practitioners (59%) in 2019.



Q19 Indicate if you expect legislative or regulatory activity on the following **scope of practice** issues in 2019. Select all that apply to your society.

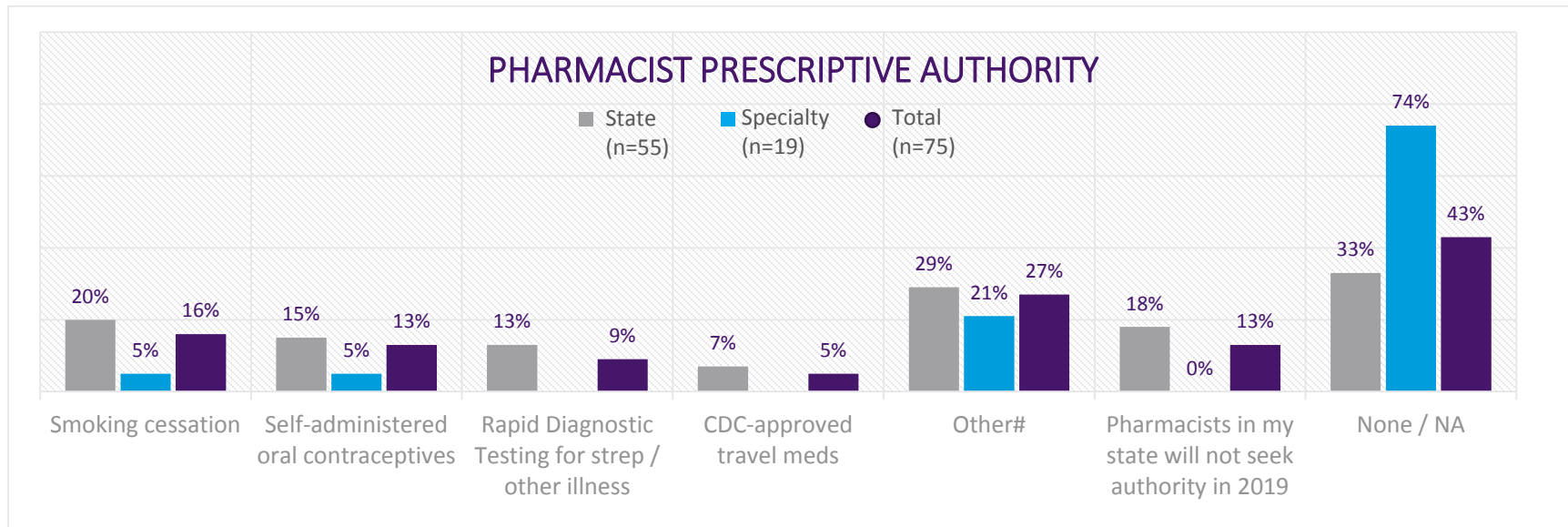
* NOTE: Total exceeds 100% since this is a multiple-select question. Additional data can be found on the following slide and in the appendix.

With respect to issues about PAs, about one-third of state association respondents anticipate activity related to removing/modifying administrative barriers (36%), and 42% of specialty society respondents expect activity related to a move to independence.



Q20 Indicate if you expect legislative or regulatory activity on the following issues related to **physician assistants** in 2019? Select all that apply to your society.
 * NOTE: Data for National Medical Association not shown because only one respondent fell into that category. Total exceeds 100% since this is a multiple-select question..

About 4 in 10 total respondents (43%), and most specialty association respondents (74%), do not expect any legislative activity related to pharmacist prescriptive authority.

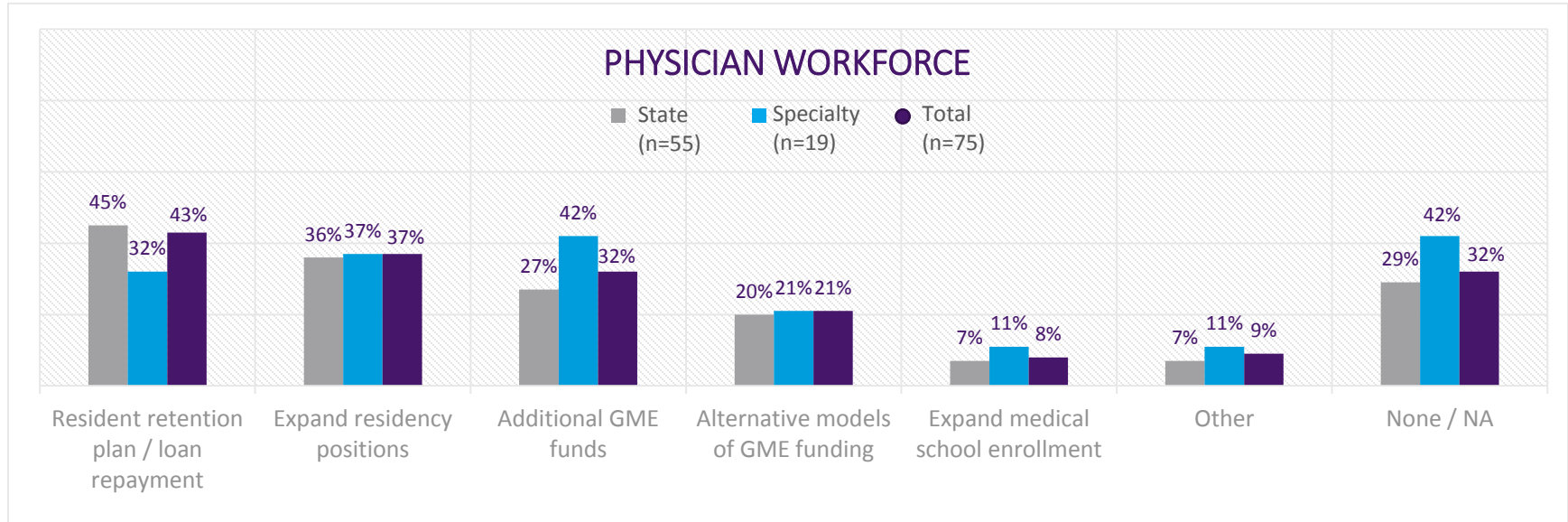


#Other responses include collaborative agreements as well as prescribing/adjusting/administration of diabetes, heart disease, and blood pressure medications and immunizations.

Q21 Indicate if you expect legislative or regulatory activity on the following issues related to pharmacist prescriptive authority in 2019. Select all that apply to your society.

* NOTE: Data for National Medical Association not shown because only one respondent fell into that category. Total exceeds 100% since this is a multiple-select question.

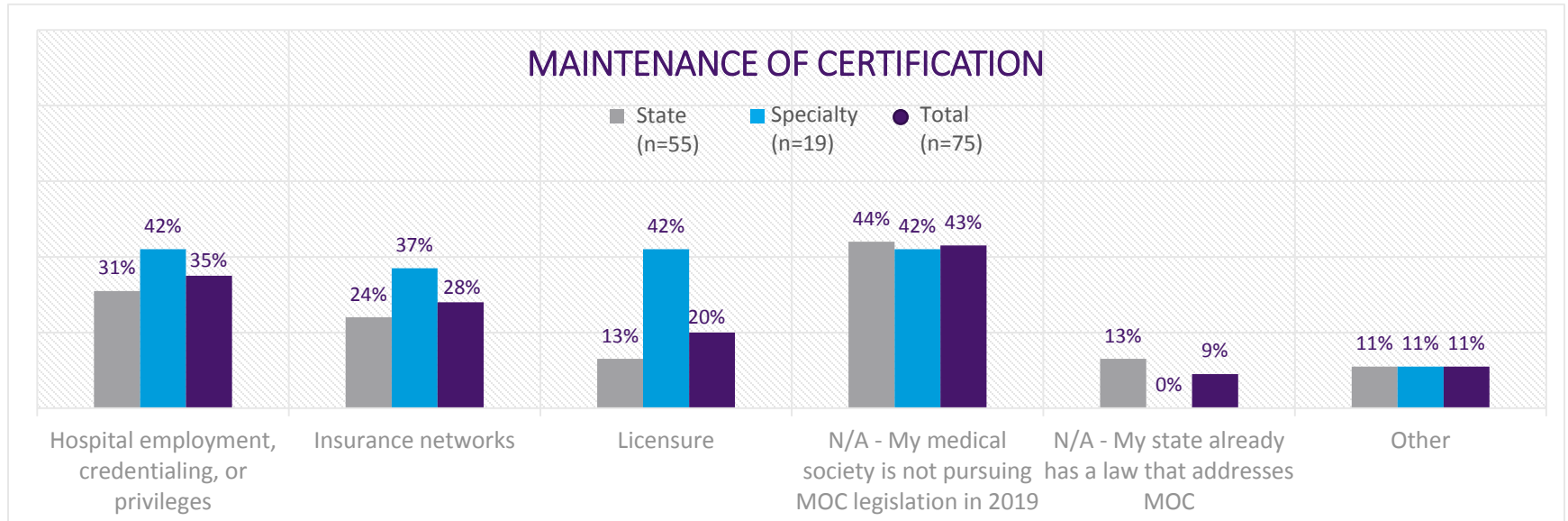
About 45% of state association respondents anticipate activity related to resident retention, while 42% of specialty society respondents anticipate activity related to GME funds. 1 in 3 total respondents (32%) don't expect any activity in this area.



Q22 Indicate if you expect legislative or regulatory activity on the following physician workforce issues in 2019. Select all that apply to your society.

* NOTE: Data for National Medical Association not shown because only one respondent fell into that category. Total exceeds 100% since this is a multiple-select question.

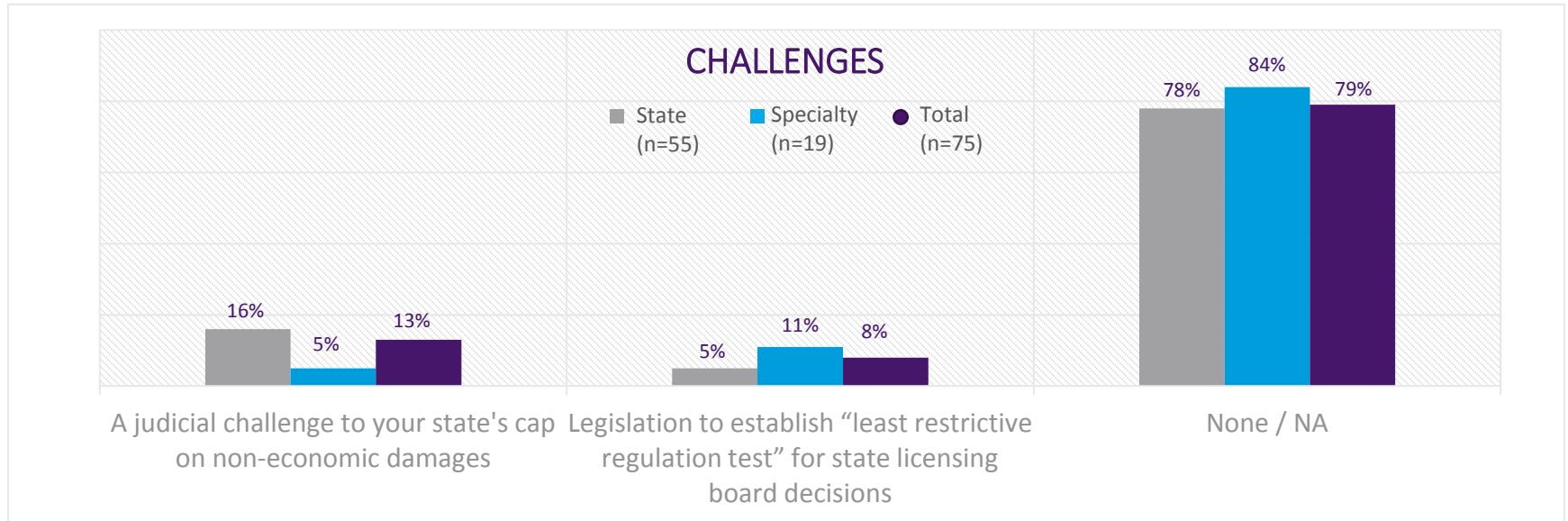
4 in 10 total respondents (43%) say their society is not pursuing MOC legislation in 2019. About one-third (35%) say they do expect to pursue legislation on hospital employment, credentialing or privileges.



Q23 Indicate if you expect to pursue legislation on the following issues related to Maintenance of Certification (MOC). Select all that apply to your society.

* NOTE: Data for National Medical Association not shown because only one respondent fell into that category. Total exceeds 100% since this is a multiple-select question.

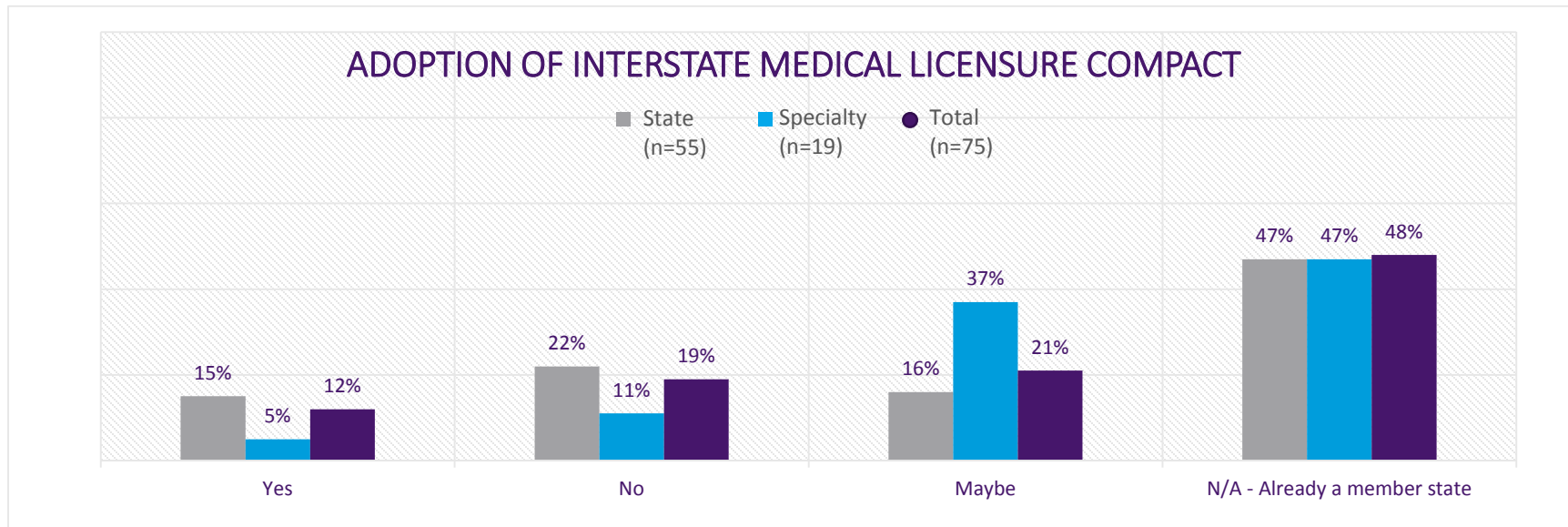
Most respondents (79%) do not anticipate judicial challenges to their state’s cap on non-economic damages or challenges to their legislation to establish a least restrictive regulation test for state licensing board decisions.



Q24 Does your society anticipate the following challenges in 2019? Select all that apply.

* NOTE: Data for National Medical Association not shown because only one respondent fell into that category. Total exceeds 100% since this is a multiple-select question.

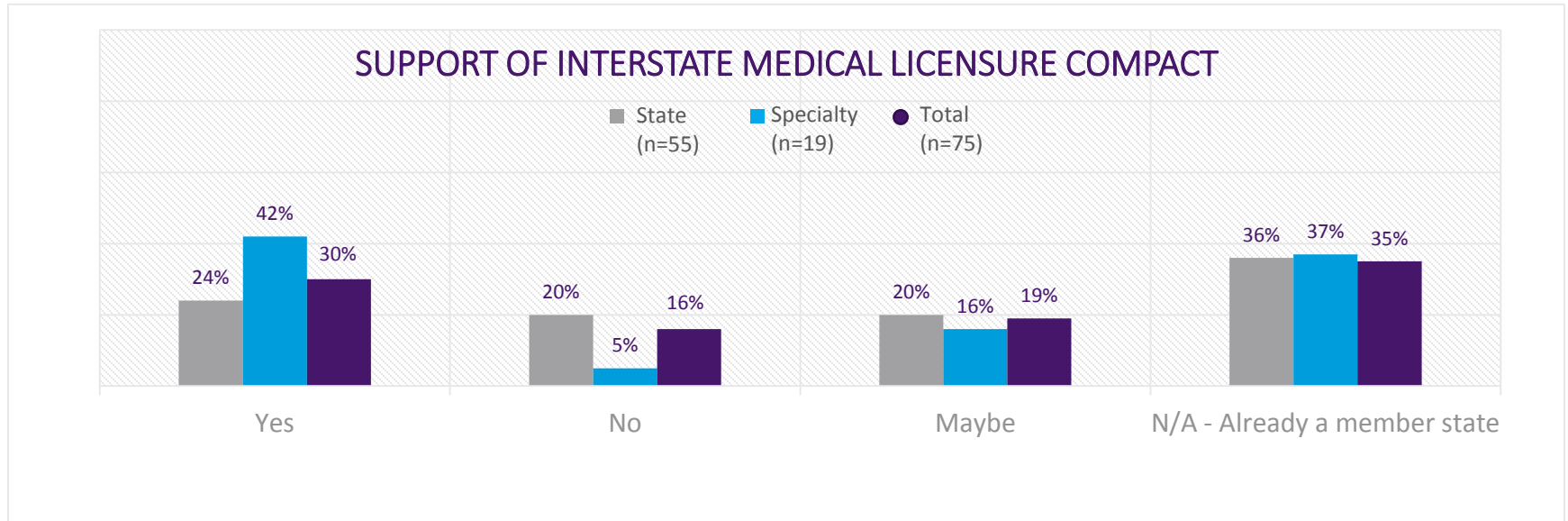
About 12% say their state legislature is considering adoption of the Interstate Medical Licensure Compact.



Q25 Is your state legislature considering adoption of the Interstate Medical Licensure Compact?

* NOTE: Data for National Medical Association not shown because only one respondent fell into that category.

Almost one-third (30%) say their society supports the Interstate Medical Licensure Compact, and another one-third (35%) say they are already members.



Q26 Does your society support the Interstate Medical Licensure Compact?

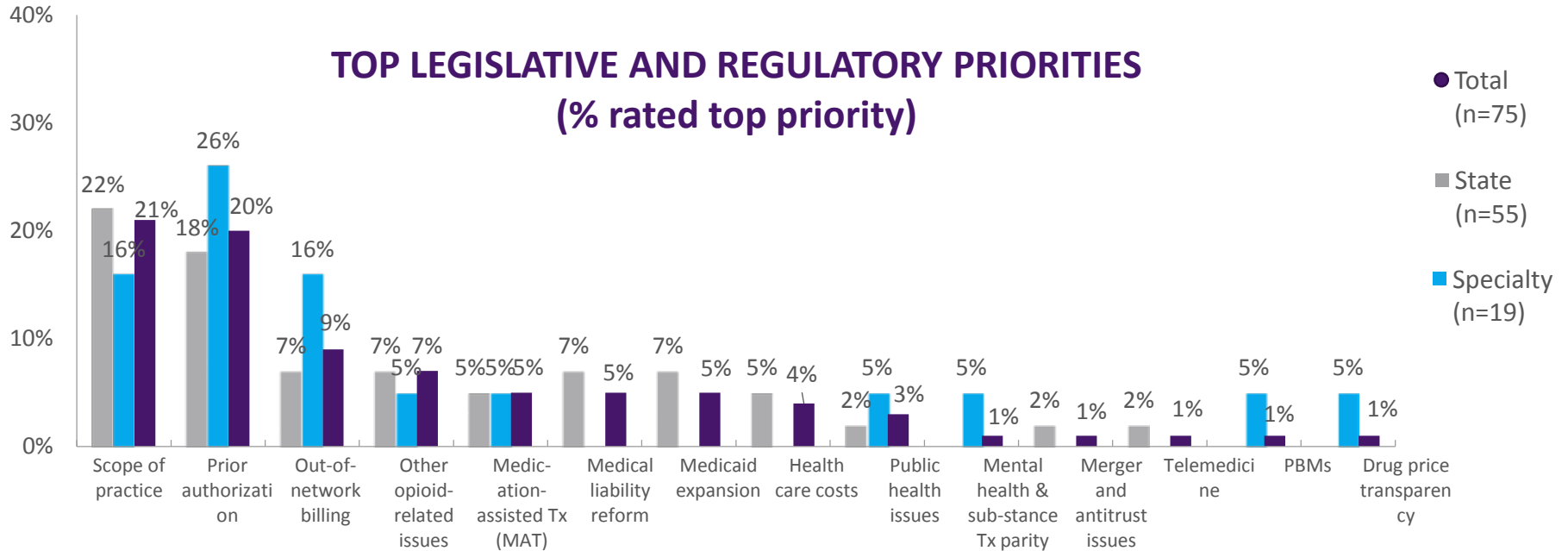
* NOTE: Data for National Medical Association not shown because only one respondent fell into that category.

Appendix



Top Legislative and Priorities – 1st Rank

TOP LEGISLATIVE AND REGULATORY PRIORITIES (% rated top priority)



Q16 Indicate if you expect legislative or regulatory activity on the following pharmaceutical issues in 2019. Select all that apply to your society.

* NOTE: Data for National Medical Association not shown because only one respondent fell into that category. Additional data can be found in the appendix.

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