

Solons codify physician autonomy

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What may be remembered as a relatively quiet state legislative session will, in fact, hold an important significance in Georgia state health care policy. Passage of House Bill 785 by Rep. Allen Peake, R-Macon, codifies in Georgia law that physician licensure cannot be tied to the provider’s participation, or not, in a health benefit plan.

The legislation is an extension of resolutions proposed by the GSA and the Medical Association of Atlanta at the Medical Association of Georgia’s fall House of Delegates. The resolutions called on MAG to push for legislation assuring physician autonomy to choose whether or not to join any health insurance plan, whether public or private. The final resolution adopted by MAG Delegates expanded the resolution to any health “benefit” plan, the effect of which would assure that the Georgia Medical Board cannot condition physician licensure on participation in Medicaid.

Governor Nathan Deal signed HB 785 on April 19 in his State Capitol office with GSA President and MAB Treasurer Dr. Steve Walsh witnessing. State Sen. Greg Goggans, R-Douglas, who is retiring from the General Assembly, passed a similar bill in the Senate.

Pain clinic regulation falls short

House Bill 972, which would have empowered the Georgia Composite Medical Board to license and regulate pain management clinics, failed to pass on the last day of the 2012 session when time expired at midnight on Thursday, March 29, before an agreement vote could be taken.

The legislation would have required physicians and facilities which provide more than 50 percent of their treatment in chronic pain to be licensed by the Medical Board. Facilities which are owned, in part or in whole, by hospitals would have been exempt under the law as would palliative care. A registration procedure for all facilities regardless of ownership was added in the Senate.

The legislation is the last of three major law enforcement and regulatory initiatives in the last two years to shut down illegal pill mills in Georgia. The first was legislation during the 2011 legislative session which created a state prescription drug monitoring program. The second was the Medical Board’s adoption of rules for pain management and unprofessional conduct in early January 2012. GSA was materially involved in advocating language changes in the text of the final pain rules and has participated materially in the mark up of HB 972.

“I want to thank Attorney General Sam Olens for initiating HB 972 as a means of empowering law enforcement and the Medical Board to further eradicate illegal entities which seek to enable abuse of prescription drugs,” GSA Government Affairs Chair Dr. Mark Huffman said after a late

evening of negotiations on the bill early in the session. “Rep. Tom Weldon (R-Ringgold) and Sen. Buddy Carter (R-Pooler) deserve praise for tackling the issue and pushing legislation to empower law enforcement and regulators.”

Medical treatment guidelines resisted

An attempt by workers’ compensation insurance companies to add medical treatment guidelines as a condition of health benefits under the program was defeated by the Medical Association of Georgia and medical specialty societies working in concert. MTGs have become a popular method for reducing employer costs in those states where the business community has been successful in passing legislation authorizing such. MTGs are considered by physicians and other health care providers to limit the types, levels and longevity of treatment alternatives available to help workers heal and return to the workforce. The author of HB 971, Rep. Bill Hembree, R-Douglasville, successfully resisted attempts by the insurers and the head of the state Workers Comp Board to add MTG authorization.

Nursing, pharmacists scope expansions blocked

The House Health and Human Services Committee held legislation (SB 288) that would have expanded authorization for pharmacists to administer vaccines under protocols with physicians. Other scope legislation (SB 386) would have authorized Advance Practice Registered Nurses to order radiographic tests under power delegated by physicians. The House H&HS Committee, chaired by Rep. Sharon Cooper, R-Cobb County, did not act on the legislation.

For more information on any state legislation, go to www.legis.state.ga.us.