

State Legislative Update – May 3, 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 & 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, 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](#).

UPCOMING EVENTS

New York Amplifying Surgery's Voice 2024 Advocacy Day, Albany, May 7; register [here](#).

IN THE NEWS

Walmart to shutter health centers, virtual care service in latest failed push into health care

Walmart is closing all 51 of its healthcare clinics in Arkansas, Florida, Georgia, Illinois, and Texas over the next 45 to 90 days along with its telehealth services. The retail giant stated it “determined there is not a sustainable business model for us to continue” because of “the challenging reimbursement environment and escalating operating costs.”

Launched in 2019, Walmart Health announced an expansion that included opening 28 new Walmart Health centers in 2024. Walmart's existing network of pharmacies and vision centers will not be impacted by the closures. Read more [here](#).

STATUS OF LEGISLATIVE SESSIONS

The following state legislatures have adjourned: Florida, Georgia, Hawaii, Idaho, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Nebraska, New Mexico, Oregon, South Dakota, Tennessee, Utah, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

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

LEGISLATIVE TRACKING

ARIZONA

[HB 2308](#) – Licensure **ENACTED**

Introduced by Representative Travis Grantham (R), HB 2308 prohibits a licensure board from denying, suspending or revoking a license based on the licensee’s criminal offense, if the offense is not substantially related to the respective occupation; provides a review process. Governor Katie Hobbs (D) signed the bill into law April 8.

[HB 2599](#) – Insurance **ENACTED**

Introduced by Representative David Livingston (R), HB 2599 sets out the health care insurance carrier internal and external utilization review and appeals process, whether in whole or in part of a service. Governor Katie Hobbs (D) signed the bill into law April 23.

COLORADO

[HB 1097](#) – Licensure **ENACTED**

Introduced by Representative Rick Taggart (R), HB 1097 allows qualified servicemembers, their spouses and dependents who are licensed in a profession in another state to be credentialed by endorsement to practice; removes the 3-year limitation and nonrenewal provision to obtain a renewable 6-year credential; waives the application and renewal fee. Governor Jared Polis (D) signed the bill into law April 17.

HAWAII

[HCR 53](#) – Biomarker **ADOPTED**

Introduced by Representative Cory Chun (D), HCR 53 requests the auditor to assess the social and financial effects of mandatory health insurance coverage for biomarker testing. The bill was adopted via concurrent resolution on April 25.

[HCR 225](#) – Step Therapy **ADOPTED**

Introduced by Representative Gregg Takayama (D), HCR 225 requests the auditor to conduct a social and financial assessment of proposed mandatory health insurance coverage for step-therapy requirements for stage two through five cancers. The bill was adopted via concurrent resolution on April 25.

MAINE

[LD 2271](#) – Telehealth **ENACTED**

Introduced by Senator Donna Bailey (D), LD 2271 prohibits a healthcare entity from charging a facility fee for telehealth services unless the patient is physically present in a hospital-based facility when receiving those telehealth services. Governor Janet Mills (D) signed the bill into law April 25.

MASSACHUSETTS

[H 986](#) – Telehealth

Introduced by Representative Marjorie Decker (D), H 986 allows health insurers covering telehealth services using utilization review (UR) and prior authorization (PA), provided the UR and PA determinations are made in the same manner as services provided in-person; health insurers are not required to reimburse a health care provider for a health care service that is not a covered benefit. The bill was introduced in the House and referred to the Financial Services Committee.

[H 1131](#) – Insurance

Introduced by Representative Jeffrey Roy (D), H 1131 prohibits health plans and pharmacy benefit managers from restricting communication between prescribing practitioners and patients, interfering with data access, or penalizing practitioners for disclosing information on lower-cost alternatives. The bill was introduced in the House and referred to the Financial Services Committee.

NEBRASKA

[LB 1108](#) – Trauma System **ENACTED**

Introduced by Senator Myron Dorn (R), LB 1108 establishes the Nebraska Emergency Medical System Operations Fund (Fund) to support emergency medical services programs and related activities; mandates a transfer of \$1,275,000 yearly from the Game and Parks Commission Capital Maintenance Fund to the Fund which may also receive other contributions from public or private entities; the Fund will be used to carry out the purposes of the statewide trauma system. Governor Jim Pillen (R) signed the bill into law April 18.

[LB 1214](#) – Licensure **ENACTED**

Introduced by the Senate Health and Human Services Committee, LB 1214 mandates criminal background checks for all health professionals applying for initial licenses. Governor Jim Pillen (R) signed the bill into law April 15.

OKLAHOMA

[HR 1045](#) – Cancer

Introduced by Representative Cyndi Munson (D), HR 1045 designates the second week in May as Lung Cancer Action Week. The bill was introduced in the House and is pending referral to a committee.

PENNSYLVANIA

[HR 414](#) – Cancer

Introduced by Representative Jordan Harris (D), HR 414 designates May 7, 2024, as Cancer Action Day; to identify the burden of cancer and urge the advancement of legislation in support of cancer prevention, detection, and treatment. The bill was introduced in the House and referred to the Appropriations Committee.

[HB 2200](#) – Licensure

Introduced by Representative Frank Burns (D), HB 2200 requires applicants for licensure to submit a set of fingerprints to the state police to check against records in the state central

repository for any record of criminal arrests or convictions. The bill was introduced in the House and referred to the Professional Licensure Committee.

RHODE ISLAND

[HR 8215](#) – Cancer **ADOPTED**

Introduced by Representative Mia Ackerman (D), HR 8215 commemorates May 2024 as National Skin Cancer Awareness Month. The resolution was agreed to via simple resolution April 30.

[SR 3014](#) – Cancer

Introduced by Senator Joshua Miller (D), SR 3014 commemorates May 2024, as National Skin Cancer Awareness Month. The resolution was introduced in the Senate and is pending referral to a committee.

VIRGINIA

[HB 995](#) – Licensure **ENACTED**

Introduced by Delegate Kathy Tran (D), HB 995 allows the board of medicine to issue a provisional license to an international medical graduate (IMG) for no more than two years if they meet outlined criteria; IMGs practicing under this statute may apply for a renewable two-year extension. Governor Glenn Younkin (R) signed the bill into law April 4.

VERMONT

[H 621](#) – Cancer **ENACTED**

Introduced by Representative Laura Sibilila (I), H 621 provides for no cost sharing for a mammography or other medically necessary breast imaging services to detect the presence of breast cancer and other abnormalities of the breast or breast tissue. Governor Phil Scott (R) signed the bill into law April 25.

[H 741](#) – Cancer **ENACTED**

Introduced by Representative Kate McCann (D), H 741 amends existing law to mandate insurers provide coverage for colorectal cancer screening average risk individuals in accordance with the most recently published recommendations established by the U.S. Preventive Services Task Force. Governor Phil Scott (R) signed the bill into law April 25.