

## **State Legislative Update – September 20, 2024**

For more information regarding ACS State Affairs Policy Priorities in your state, please contact Catherine Hendricks, State Affairs Manager, at [chendricks@facs.org](mailto:chendricks@facs.org) or Cory Bloom, State Affairs Associate, at [cbloom@facs.org](mailto: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](#).

### **REGULATORY NEWS**

#### **FLORIDA**

The Florida Board of Medicine and Board of Osteopathic Medicine released proposed regulation notices pertaining to Graduate Assistant Physicians (GAPs), a process initiated by the enactment of [SB 7016](#) in 2024. The bill provides for GAPs, who:

- Graduated from an allopathic or osteopathic medical school approved by an accrediting agency recognized by the department of education;
- Successfully passed all parts of the USMLE or the National Board of Osteopathic Medical Examiners;
- Did not receive a residency match from the National Resident Match Program within the first year of medical school graduation;
- Has “Good moral character” and is at least 21 years old, without any “act or offense... which would constitute the basis for disciplining a physician,” or be under investigation in another jurisdiction; and
- Submitted a set of fingerprints.

Applicants must enter into a written agreement specifying their duties and responsibilities with a physician holding a full, active, and unencumbered license. The GAP license is two years in duration, with the possibility of a one-time, one-year renewal. GAPs may only provide care under the direct, physical supervision of a physician; supervising physicians may not supervise

more than two GAPs; and are liable for the GAP's acts or omissions. Read more here: [Medical Board/Osteopathic Board](#).

## **INDIANA**

The Telehealth Certificate process for out-of-state practitioners effective July 1, 2024, emphasized all health care professionals must be fully licensed in the state to render telemedicine services. All previously issued Telehealth Certificates and Telehealth Facility Certificates have been terminated permanently. Read more [here](#).

## **MICHIGAN**

The Board of Osteopathic Medicine and Surgery posted new proposed rules reducing the maximum number of attempts to pass the Comprehensive Osteopathic Medical Licensing Examination (COMLEX) from six to four and removing the stipulation that all portions are completed within seven years. Read more [here](#).

## **UTAH**

Several changes were made to the Physicians Licensing Board with the enactment of [HB 534](#): renames the Physicians Licensing Board to the Medical Licensing Board (MLB), integrating the osteopathic and physician assistant licensing boards; changes to the composition of the MLB to include members from the previously separate boards; now regulates anesthesiologist assistants. Read more [here](#).

## **WASHINGTON**

The state medical commission established a new class of practitioner for anesthesiologist assistants. the Board will hold a rules workshop on its implementation October 14 ([registration](#)) with written [comments](#) due October 7.

## **STATUS OF LEGISLATIVE SESSIONS**

The following state legislatures remain in session: Michigan, New Jersey, Ohio, and Pennsylvania. North Carolina sessions post June 27: reconvening September 9-11, October 9, November 19-22, and December 11-13. California 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**

[AB 2864](#) – Licensure **ENACTED**

Introduced by Assemblymember Eduardo Garcia (D), AB 2864 extends the "Licensed Physicians and Dentists from Mexico Pilot Program" for three years; allows up to 30 licensed physicians to practice in California for a period of three years, then an additional three years after expiration. Governor Gavin Newsom (D) signed the bill into law September 14.

### **DISTRICT OF COLUMBIA**

[B25-948](#) – Certificate of Need

Introduced by Councilmember Christina Henderson (I), B25-948 exempts office-based primary care and specialists with no operating room; requires a registration process for virtual provider and telehealth networks; increases the threshold from 10 beds or 10 percent of total beds to 10 beds or 20 percent of total beds; defines “group practice” as two or more physicians. The bill was introduced and referred to the Health Committee.

## **NEW JERSEY**

### [A 4682](#) – Insurance

Introduced by Assemblymember Anthony Verrelli (D), A 4682 prohibits health insurers from denying coverage for nonopioid drugs in favor of opioids. The bill was introduced in the Assembly and referred to the Financial Institutions and Insurance Committee.

### [S 3563](#) – Trauma

Introduced by Senator Joseph Vitale (D), S 3563 establishes a Board of Paramedicine; Board includes one board certified trauma surgeon, one board certified pediatric surgeon, and one board certified emergency medical services physician; defines paramedicine; mandates criminal background checks; requires continuing education; appointments and referrals from the state Chapter of the American College of Surgeons; motor vehicle fines will fund the Board. The bill was introduced in the Senate and referred to the Commerce Committee.

### [S 3565](#) – Licensure

Introduced by Senator Joseph Vitale (D), S 3565 allows out-of-state licensed health care professionals and health care professionals working under a temporary graduate license to practice with a provisional license in the state; requires notice of an adverse action in another state with a civil penalty of \$500 per day each day notice is not provided. The bill was introduced in the Senate and referred to the Health, Human Services and Senior Citizens Committee.

## **PENNSYLVANIA**

### [HR 531](#) – Cancer

Introduced by Representative Jeanne McNeill (D), HR 531 designates September 2024 as “Prostate Cancer Awareness Month.” The bill was introduced in the House and referred to the Health Committee.

### [SR 330](#) – Cancer

Introduced by Representative Scott Martin (R), SR 330 designates September 2024 as “Childhood Cancer Awareness Month”; highlights the importance of a comprehensive care team. The bill was introduced in the Senate and referred to the Rules and Executive Nominations Committee.