

**LEG REG REVIEW**  
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**MILLER WILL BE NOMINATED FOR HHS POST**

On May 23, Governor Wolf designated Insurance Commissioner Teresa Miller as his nominee to be the new Secretary of the proposed PA Department of Health & Human Services. If approved by the General Assembly, the consolidation will merge the existing Departments of Health, Human Services, Drug & Alcohol Programs and Aging. There is a split within House Republican ranks with some supporting the proposal such as fiscal conservative Rep. Stephen Bloom (R-Cumberland) as a cost-saver. Others like long-time Rep. Gene DiGirolamo (R-Bucks) fear specific areas such as drug and alcohol abuse programs will lose a seat at the proverbial policy table by being absorbed into a larger agency. **NOTE:** If Governor Wolf is successful in getting the General Assembly to agree on the new Department, he has already said that the Acting Commissioner (replacing Miller) would be current Insurance Department Chief of Staff Jessica Altman.

**MORE CABINET NEWS**

- Patrick McDonnell finally was confirmed by the PA Senate May 22 as Secretary of the PA Department of Environmental Protection (DEP) after serving in an acting capacity for a year. Before being nominated by Governor Tom Wolf, McDonnell served as DEP Director of Policy and ran the state's Energy Office, coordinating renewable energy and energy efficiency issues.
- Also, last week, Health Department Secretary Dr. Karen Murphy announced that she was leaving her post in June.

**REAL ID SIGNED INTO LAW**

On May 26, Governor Tom Wolf signed **Senate Bill 133** (Ward-R-Westmoreland) into law as Act 3 of

2017. This legislation brings PA into compliance with the REAL ID Act of 2005, a Federal law requiring an upgrade to state systems of personal identification. If PA had not complied, the consequence would have been that a PA driver's license would have NOT been accepted as identification on boarding commercial flights or providing access to Federal offices (Social Security, Farm Services Agency, military bases, etc.) in 2018.

### **UCC BILL PASSES SENATE**

Passed by the Senate on May 24 by a 40-10 vote, **Senate Bill 269** (Baker-R-Luzerne) would loosen the review process for possible changes in the Uniform Construction Code. Current law has the Review Advisory Committee needing a high threshold for approval, a 2/3 vote before new international building code standards could take effect in PA. SB 269 allows for a streamlined process if there is no pushback from various stakeholder groups such as builders, etc. **Relevance to insurance: Construction building requirement changes can impact valuation and cost of replacement.**

### **HOUSE PASSES HEALTH INSURANCE BILLS**

**This past week the House passed a number of health insurance bills.**

- **House Bill 174** (Baker-R-Tioga) would require coverage for long-term antibiotics to treat Lyme disease. Insurers such as Highmark opposed the bill, saying that long-term antibiotic treatment is not medically proven. Also, the question was raised as to whether HB 174 would trigger a provision in the Affordable Care Act making the state pay for the additional benefit. (Vote 188-6)
- **House Bill 1280** (Baker-R-Tioga) provides immediate access to late-stage cancer patients to receive Stage 4 metastatic cancer drugs. Insurers would be required to cover these drugs. (Vote 190-0)
- **House Bill 125** (Baker-R-Tioga) requires faster credentialing of health care practitioners by health insurers to be added in their networks. If the application is not acted upon within 45 days, the health care practitioner will be deemed to have received approval. This bill is a reaction by hospitals, community health centers, and physician practices to what they see as lengthy delays by insurance companies in credentialing qualified health care practitioners. This means lengthy delays in insurer reimbursements according to the medical groups supporting HB 125. (Vote 190-0)

### **EMS REIMBURSEMENT BILL PASSED BY HOUSE**

On May 24 by a 190-0 vote, the PA House passed **House Bill 1013** (Barrar-R-Delaware/Chester) requiring that emergency medical services (EMS) be reimbursed if they are called to a location and where

the individuals refuse or do not need transport to a hospital. In order to qualify, EMS providers must have been dispatched by a county 911 unit and provided care even though transport was ultimately not involved.

### **HOUSE INSURANCE COMMITTEE BUSY TOO**

**The House Insurance Committee met and reported out three pieces of legislation last week:**

- **House Bill 1286** (Mentzer-R-Lancaster) directs Medical Care Availability and Reduction of Errors Fund (MCARE) to do a study documenting the number and dollar amount of punitive damage awards.
- **House Resolution 337** (Pickett-R-Bradford) asks the U.S. Congress to pass legislation allowing states to regulate pricing of emergency medical air transport. This was the subject of a House Insurance Committee hearing where it was shown that some air transport can still cost the patient tens of thousands of dollars after insurance.
- **House Bill 1388** (Irvin-R-Mifflin) reauthorizes the Children's Health Insurance Program (CHIP) until December 31, 2019.

**POLITICS...Democratic Rep. Brandon Neuman** is on the ballot for Washington County Court of Common Pleas. He was the top vote-getter in both Democratic and GOP primaries. This means that a special election will take place after the November election....**Democratic candidate for Superior Court Judge Geoffrey Moulton** has some experience in health policy. Moulton's bio says that as Chief Council for former Vice President Biden's successor in the U.S. Senate, he worked on getting the Affordable Care Act through Congress. A search by [LEG REG Review](#) of the other candidates for Superior Court did not reveal any insurance background.

**HERE IS SOMETHING THAT INSURANCE PRODUCERS MAY NOT HAVE KNOWN...**On May 22, the Senate Environmental Resources & Energy Committee reported out **Senate Bill 649** (Yudichak-D-Luzerne) reauthorizing the Underground Storage Tank Environmental Cleanup and Pollution Prevention Programs until June 30, 2022. Of interest to insurance producers is a **specific program that reimburses homeowners up to \$5,000 for an in-house oil tank spill, something an HO policy would not cover. Senator Yudichak's bill increases the cap for this special program from the existing \$500,000 to \$750,000.**