



Top Advocacy Issues



FALL 2022

OSMA's Government Relations team serves as the voice of Ohio's physicians—advising state departments and influencing state policy on health issues. Through leadership and education, we support and advance the physician profession in the state of Ohio.

Priorities we're working on:

1

Insurance Issues

OSMA Insurance Reform Initiative

OSMA continues to hear concerns from our members about the administrative burdens that insurer policies and processes create for them and their practices, along with certain roadblocks to care that their patients encounter due to those policies. Over the past several years, your OSMA advocacy team has been exploring and researching these issues in preparation for pursuit of further legislative reform in Ohio. This will be a major priority for us in 2023.

Some of the issues we are looking into taking action on include:

- Downcoding
- Insurance Company Takeback Payments
- Prior Authorizations

If you would like to get involved in this effort, please contact the OSMA Government Relations team by emailing Monica at mhueckel@osma.org.

Surprise Billing

Governor DeWine signed House Bill 388 into law on January 7, 2021. This law is designed to protect patients from receiving surprise medical bills for emergency care or, in certain circumstances, unexpected out-of-network care. Primarily, the law prohibits the practice of balance billing in these instances, leaving negotiation of payment terms to be handled between the health provider and the health plan. The Ohio Department of Insurance's (ODI) new rule, Ohio Administrative Code 3901-8-17, Reimbursement for Unanticipated Out-of-Network Care, is effective as of January 1, 2022.

OSMA is closely following all federal and state activity related to surprise billing and we continue to report any movement, and any additional guidance as we learn more. Additionally, we will be working with ODI on implementation throughout the next few years. Please report any challenges, questions, and concerns with the new rule/process to OSMA so we can communicate these to ODI including those that relate specifically to calculation of average in-network rates, the arbitration process or significant changes in terms of future contract negotiations.

Non-Medical Switching

Non-medical switching occurs when patients are forced to switch to a different medication in the middle of a plan year for no medical reason due to formulary changes from the health insurer. OSMA is joining the Ohio Association of Rheumatology in support of House Bill 153, which would prohibit insurers from engaging in the practice of non-medical switching.

This bill, sponsored by Rep. Beth Liston (D-Dublin) and Rep. Sara Carruthers (R-Hamilton), would avoid the disruption of a physician's ability to exercise their medical expertise and help their patients caused by abrupt and unwarranted treatment changes. Additionally, HB 153 would prohibit private health plans from increasing patient cost-sharing or from moving drugs to a more restrictive tier during a plan year.

Co-Pay Accumulator

Health plans and pharmacy benefit managers (PBMs) may apply co-pay accumulator adjustment policies when patients attempt to use copay assistance programs. These prohibit a patient's copay assistance amount from count toward their deductible and maximum out-of-pocket cap.

House Bill 135, another OSMA-supported bill, would require insurers and PBMs to count all payments made by patients directly or on their behalf toward their deductibles and out-of-pocket costs, increasing predictability as vulnerable patients face high out-of-pocket costs for their prescriptions. This legislation is sponsored by Rep. Susan Manchester (R-Waynesfield) and Rep. Thomas West (D-Canton). There have been several hearings on the bill. OSMA will continue to support HB 135 and push for it to progress through the legislature.



2

Vaccines

OSMA has fought against a series of anti-vaccination proposals over the past two years. We expect the issue to continue to be in the spotlight in 2023, both for COVID-19 vaccinations, and others (including childhood vaccines).

As a reminder, our OSMA advocacy team has continued to help lead a coalition against anti-vaccine proposals, comprised of over 100 organizations in business, manufacturing, education and health care, and representing over a million Ohioans.

OSMA also rallied a massive grassroots effort across the state to communicate to legislators about the dangers posed by legislation that would discourage community vaccination rates. In response to our call-to-action, over 650 of our members and allies all over Ohio have sent messages to their elected officials.

3

Other Public Health Issues

Mental Health

OSMA will continue our advocacy for increased access to mental health and substance use disorder care, including access to medication-assisted treatment. Additionally, the OSMA Foundation, in partnership with the Ohio Physicians Health Plan (OPHP) and the American Foundation for Suicide Prevention (AFSP), launched the **Well-Being CARE Service (Checkup And Referral Engagement)**. This is a free, simple and anonymous tool to help physicians and all Ohio-licensed health care providers check up on their mental and emotional health.

Tanning Ban for Minors

OSMA joins the Ohio Dermatological Association again in support of a measure that would prohibit individuals under age 18 from using tanning beds (HB 159 & SB 336). If enacted, this proposal would protect the youth in our state from exposure to dangerous ultraviolet radiation that drastically increases the chance of developing skin cancer, particularly when exposure occurs before adulthood.

Health Equity

The pandemic and elevated conversations about racial justice have brought the issue of healthcare equity to the forefront. OSMA is dedicated making sure health care is fully inclusive and attainable so that everyone has access to necessary medical services regardless of race, ethnicity, sexual orientation, or any other defining characteristic.

4

Scope of Practice (APRNs)

OSMA anticipates that several scope of practice bills concerning allied practitioners—including APRNs, physician assistants (PAs), and more—are going to emerge in 2023. Along with other physician groups, and much like we have historically, we will continue to support the physician-led, team-based approach to care.

5

2022 Election

It is critical that our elected officials at the state and federal levels understand the challenges facing physicians and work with us to better Ohio's health care system for both patients and providers. 2022 is another big election year—with key statewide races including Governor and state Supreme Court—and the OSMAPAC has completed election endorsements based upon a complete review of all relevant information concerning a candidate. The candidates in each election are subject to thorough scrutiny by all individuals involved in the endorsements process, which is conducted with the input of physicians from all over the state.

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