

Progress Notes- April 12, 2013 Louisiana Chapter- American Academy of Pediatrics

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2013 Louisiana Legislative Session

The 2013 Louisiana Legislative Session will begin this week and will adjourn no later than 6:00 pm on June 6, 2013. You can view all the pre-filed bills at <http://www.legis.la.gov>. If you believe the LA AAP should take a position on any piece of legislation, please send your comments to ashley.politz@laaap.org.

If you are interested in helping the Chapter develop its talking points on legislation, positions and communication with legislators, consider being part of the LA AAP Legislative Committee. Most business of this committee will be conducted via conference call and emails. If you are interested, please send an email to: ashley.politz@laaap.org

Advocacy Action Requests for Week 2 of session- Act Now!

There are several key bills that are anticipated to be scheduled for the Health and Welfare committees next Wednesday, April 17, 2013, at 9:00 am. Please reach out to the legislators on the committee to let them know you want them to support or oppose the bills. If your schedule permits, please consider being present at the capitol. Below are the bills of interest along with talking points.

SB 185, Murray- Provides relative to Medicaid and certain managed health care organizations providing health care services to Medicaid beneficiaries

SB 55, Johns- Provides for Medicaid transparency

HB 527, Hoffmann- Provides relative to the practice of optometry and the regulation of such profession

House Health and Welfare Committee

Simon, Scott M.- simons@legis.la.gov Hoffmann, Frank A.- hoffmanf@legis.la.gov
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Willmott, Thomas P.- willmott@legis.la.gov Kleckley, Chuck- larep036@legis.la.gov
Leger, Walt III- legerw@legis.la.gov

Senate Health and Welfare Committee

David Heitmeier (Chair)- HeitmeierD@legis.la.gov Fred H. Mills, Jr. (Vice-Chair)- millsf@legis.la.gov
R.L. "Bret" Allain, II- allainb@legis.la.gov Sherri Smith Buffington- smithbuffington@legis.la.gov
Dan Claitor- claitord@legis.la.gov Yvonne Dorsey-Colomb- dorseyy@legis.la.gov
Dale M. Erdey- erdeyd@legis.la.gov Elbert L. Guillory- guillorye@legis.la.gov
Ben Nevers- neversb@legis.la.gov

Talking points (Thank you to the Louisiana Ophthalmology Association and the Louisiana State Medical Society for putting this bullet points together):

SUPPORT SB 185 – What does the bill do? SB 185 will reduce administrative burden on Medicaid providers which has been exponentially increased due to the transition into Medicaid managed care. Reducing administrative burden will allow for more consistent care being given to Medicaid recipients. The bill addresses four major issues:

(1) *Drug Formulary Reforms.* The legislation would require all Bayou Health plans to use the same formulary which is determined by a new P&T Committee. The bill further requires the Bayou Health plans to use a standard single page prior authorization form for drugs. Additionally, the bill requires Bayou Health to use the same step therapy override provisions as commercial health plans have to use.

(2) *Provider Credentialing.* Under current law, the Bayou Health plans do not have to abide by any time limits as to the length of time which they can take to credential providers. Thus, many providers have waited great lengths of time to be credentialed and placed into the plan systems so that they can properly bill for the services they provide. We believe this credentialing process is too long and cumbersome. Bayou Health plans should have to credential providers in the same manner as commercial health plans which is accomplished by mimicking the credentialing language found in the state Insurance Code. Specifically, the credentialing process has to be completed within 90 days and the plans are required to use the standardized credentialing form promulgated by the Department of Insurance. In addition, health plans have to follow the same law commercial health plans have to follow when providing interim credentialing to physicians who join existing groups who are under contract.

(3) *Claims Payments.* Currently, each Bayou Health plan can utilize their own methods for remitting claim payments or denials to providers. This legislation would standardize the denial process and require each plan to use the same denial codes that are utilized in the fee for service Medicaid program. In addition, the legislation specifically spells out the information which must be contained in the remittance advice.

(4) Care for newborns. The Department of Health and Hospitals currently requires all Bayou Health plans to reimburse providers for care given within the first 30 days of life of a newborn regardless of whether the provider is enrolled in the particular health plan of the child or not. This requirement, although laudable, has not been reduced to writing and therefore is at the whim of the health plan whether or not the directive is followed. This legislation puts that requirement in writing so that providers who provide this critical care can have some sort of authority to rely upon when defending against denied claims.

Why is the legislation needed? Providers should treat patients, not spend time doing excessive paperwork. Since the inception of Bayou Health, physicians and other providers have faced an exponential increase in administrative overhead. This increased overhead deprives the provider from spending their valued time treating patients.

SUPPORT SB 55- What does the bill do? SB 55 provides transparency in the Medicaid program by requiring DHH to report certain information about the Bayou Health and Louisiana Behavioral Health Partnership programs to the Louisiana Legislature.

Why is this legislation needed? Louisiana expends approximately 2.5 BILLION dollars a year in these two programs.

There is currently no reporting or oversight which is required for the programs.

It is imperative that meaningful oversight and reporting are required to ensure our tax dollars are being spent in the most efficient and effective manner possible.

The Bayou Health and Louisiana Behavioral Health Partnership programs were both touted to provide better quality care at a lower cost. As stewards of taxpayer dollars, it is imperative that the legislature ensures these goals are being achieved and without meaningful reporting to the legislature this obligation cannot be met.

82% of Louisiana voters favor a law requiring greater transparency in the Medicaid program according to a Voter Consumer Research poll conducted January 13-17, 2013.

What is required to be reported?

1. Measures which speak to the viability of each plan, including total number of health care providers in each plan, total number of enrolled recipients in each plan, amount of the total payments and average per member per month payment for each plan.
2. Metrics centered around claims payments to providers in the program, including % of clean claims paid, avg. time to pay all claims, number of claims denied or reduced for certain reasons.
3. Measures which speak to how prescription drug benefits are being managed which includes the total number of prescriptions subject to prior authorization and prescription claims subject to step-therapy or fail first protocols.
4. Measures which speak to health outcomes including the Medical Loss Ratio of each plan and a comparison of specific health outcomes.
5. Measures of provider and recipient satisfaction through recipient satisfaction survey reports and the number grievances and requests for state fair hearings filed by recipients.

In addition for appropriate measures, the initial report filed by DHH shall include measures from the legacy Medicaid program so that a comparison can be made between Bayou Health, the Louisiana Behavioral Health Partnership and the traditional Medicaid programs:

- Guidance and Bulletins for Bayou Health
- DHH will be required to make public all guidance documents issued by DHH which relate to Bayou Health All of this guidance is not public today.
- Plan Amendments and Correspondence
- DHH will be required to make public all state plan amendments and related correspondence with the Centers for Medicare and Medicaid Services within 24 hours of submission or receipt.

OPPOSE HB 527- What does the bill do? HB 527 gives optometrists open-ended authority to perform almost any surgical procedure. It would authorize optometrists to perform procedures using multiple methods and instruments including scalpels, lasers, needles, ultrasound, ionizing radiation and by burning and freezing tissue. HB 527 would also allow optometrists to inject any drug, except in Schedules I and II.

HB 527 gives optometrists open ended authority to perform almost any surgical procedure

- HB 527 is an optometric blank check to practice medicine. This standard is far different than four years of medical school, a hospital residency, and at least three years of an ophthalmology residency program.
- Surgery involves not just performing the procedures, but deciding who needs to have a procedure done and who does not. It involves patient education and be the ability to identify and manage complications. This cannot be learned in a weekend mini-course.

HB 527 would authorize optometrists to perform procedures using multiple methods and instruments including scalpels, lasers, needles, ultrasound, ionizing radiation and by burning and freezing tissue.

- This provision would allow optometrists to perform eyelid surgeries, surgeries involving needles and injections, glaucoma and cataract procedures, and dozens of other surgical procedures not specifically prohibited.
- The prohibition against performing surgeries on non-suspected malignancies is fairly meaningless from a surgical perspective, since determining malignancy or non-malignancy requires years of training.

HB 527 would authorize optometrists to use lasers

- Lasers are surgical instruments that cut as deeply and sharply as any scalpel.
- The bill allows optometrists to perform laser surgeries in the anterior segment of the eye, laser glaucoma surgeries, AND some forms of laser vision correction (e.g., LASEK).
- Optometrists do not have the education and training to safely perform laser surgery or to manage immediate complications.

HB 527 would allow optometrists to inject any drug, except in Schedules I and II.

- HB 527 would allow optometrists to administer the injectable form of virtually any therapeutic or diagnostic drug into the vascular system, muscle tissue, different levels of skin tissue, around and behind the eye, into the eyelid and into the eye.

- Injections may cause cardiac events, perforate the globe of the eye, cause allergic reactions, or result in a drug entering the blood stream too quickly if a vein is inadvertently injected.

Optometrists do not have the training to perform these procedures or manage the complications that can arise with these procedures.

- Surgical proficiency is acquired through years of medical education and clinical training. After completion of a four-year medical education program and a one-year hospital internship, an ophthalmology resident then gains critical surgical expertise and judgment in a one-on-one three-year surgical residency program.
- The optometry education model does not provide a focused in-depth surgical training experience for its students.

HB 527 removes Medical Board oversight of ophthalmic surgery.

- Current law correctly stipulates that any person performing ophthalmic surgery MUST be licensed to practice medicine by the state Medical Board. HB 527 takes that authority away from the Medical Board, and puts it in the hands of the state optometry board, giving non-physicians the absolute authority to determine scope of practice, including who can perform “ophthalmic surgery” as defined by current law.

Week 1 Action Recap (4/8-12/13)

HB 89 , Hoffmann

Provides relative to the use of seclusion and physical restraint to address the behavior of certain students

April 8, 2013 House Introduced in the House
 April 8, 2013 House Referred to committee on Education
 April 11, 2013 House Reported favorably

HB 177 , Leger

Designates the Institute for Public Health and Justice as the primary research entity and advisor to the legislature on matters related to youth in the criminal justice system and youth with behavioral needs

April 8, 2013 House Introduced in the House
 April 8, 2013 House Referred to committee on Health & Welfare
 April 11, 2013 House Reported with amendments

HB 273 , Lorusso

Provides relative to reports, records, and adjudicatory functions of the La. State Board of Medical Examiners

April 8, 2013 House Introduced in the House
 April 8, 2013 House Referred to committee on Health & Welfare
 April 11, 2013 House Reported with amendments

HB 355 , LeBas

Provides relative to access to state prescription monitoring program information

April 8, 2013 House Introduced in the House

April 8, 2013 House Referred to committee on Health & Welfare

April 11, 2013 House Reported favorably

April 11, 2013 House Recommended for Consent Calendar

HB 356 , LeBas

Defines compounded pharmacy-generated product

April 8, 2013 House Introduced in the House

April 8, 2013 House Referred to committee on Health & Welfare

April 11, 2013 House Reported by substitute

HB 375 , Hoffmann

Provides for the EarlySteps childhood disability intervention program and authorizes a fee schedule known as cost participation for services of the program

April 8, 2013 House Introduced in the House

April 8, 2013 House Referred to committee on Health & Welfare

April 11, 2013 House Reported favorably

HB 557 , Willmott

Requires that mandatory reporters receive training on laws of mandatory reporting of child abuse

April 8, 2013 House Introduced in the House

April 8, 2013 House Referred to committee on Health & Welfare

April 11, 2013 House Reported with amendments

HB 635 , Williams, P.

Requires local public school boards to adopt policies relative to accommodations for employees to express breast milk

April 8, 2013 House Introduced in the House

April 8, 2013 House Referred to committee on Education

April 11, 2013 House Reported favorably

April 11, 2013 House Recommended for Consent Calendar

Tentative Committee Meetings- Week 2 (4/15-19/13)

Monday, April 15, 2013:

House Appropriations

Monday, April 15, 2013 9:00 AM Committee Room 5

HB 178 , Talbot

Repeals corporation income and franchise taxes

HB 235 , Badon

Increases the tax on cigarettes and dedicates a portion of the proceeds of the tax Support

HB 417 , Ritchie
Increases the state tax on certain tobacco products and dedicates the monies
Support

HB 537 , Jackson, K.
Levies an additional tax on cigarettes and other tobacco products and authorizes the dedication of such monies
Support

HB 623 , Jackson, K.
Increases the state tax on certain tobacco products
Support

HB 178 , Talbot
Repeals corporation income and franchise taxes

HB 235 , Badon
Increases the tax on cigarettes and dedicates a portion of the proceeds of the tax
Support

HB 417 , Ritchie
Increases the state tax on certain tobacco products and dedicates the monies
Support

HB 557 , Willmott
Requires that mandatory reporters receive training on laws of mandatory reporting of child abuse

HB 623 , Jackson, K.
Increases the state tax on certain tobacco products
Support

SB 107 , Ward
Provides relative to at-risk youths and development of an integrated case management system

Wednesday, April 17, 2013

House Criminal Justice
Wednesday, April 17, 2013 9:30 AM Committee Room 6

HB 21 , Burns, H
Provides with respect to reporting of mental health information regarding the purchase of firearms

HB 98 , Thompson
Provides with respect to concealed handgun permits issued by sheriffs

HB 141 , Badon
Creates the crime of unlawful sales of firearms

LA Medicaid- List of Attestation Forms Received

As promised, DHH has posted the list of all Designated Physicians Forms (Attestations) RECEIVED BY PRISM AS OF MARCH 18, 2013 AND VALIDATED BY DHH

If your name is listed, your Designated Physician form has been received and is on file with the Molina Medicaid Provider Enrollment. No further action on your part is necessary to receive the enhanced reimbursement for specified primary care services rendered by designated physicians during calendar years 2013 and 2014. Your effective date for the enhanced reimbursement will be established as January 1, 2013. To see if your name is on the list, go to:

http://www.lamedicaid.com/provweb1/recent_policy/ACA_PCP_Designated_Physician_Form_Validated_Listing_040813.pdf

If you have not submitted your Designated Physician Form, you can download it at:

http://www.lamedicaid.com/provweb1/Provider_Enrollment/existingenrollments.htm

You will need to download and complete the Medicaid Primary Care Services Designated Physician form and mail it to: Molina Medicaid Solutions, Provider Enrollment Unit P.O. Box 80159 Baton Rouge, LA 70898-0159

Note on Effective Date: Your effective date for enhanced reimbursement is based on the date your complete and correct Designated Physician form is received by Medicaid's Provider Enrollment vendor. If your complete and correct form is received by May 15, 2013, you will receive enhanced reimbursement for eligible services rendered on or after January 1, 2013. If your complete and correct form is received after May 15, 2013, you will receive enhanced reimbursement for eligible services rendered on or after the date the form is received.

In previous guidance, March 31, 2013 was the deadline for form receipt to receive the enhanced reimbursement for eligible services rendered on or after January 1, 2013. The deadline has been extended 45 days due to the recent changes.

Bayou Health

Informational Bulletins

All bulletins: <http://new.dhh.louisiana.gov/index.cfm/page/1198/n/311>

Provider Calls

The weekly provider call hosted by DHH takes place every Wednesday at noon. Any provider is welcome to call in, and pre-registration is not required.

The call in number is 1-888-278-0296

Access code is 6556479#

This has been a helpful venue for providers and hospitals to explore solutions to their concerns or

specific issues they are experiencing. On the calls, DHH has consistently reminded participants to use the online complaint form (<https://bhsfweb.dhh.louisiana.gov/BayouHealthComplaints>) The form will require the entry of contact information, the nature of the complaint, if you have dealt with the plan on the issue, the history of those dealings, and other information. Participants are strongly encouraged to follow the Provider Issue Escalation and Resolution format outlined in Informational Bulletin 12-27 ([http://new.dhh.louisiana.gov/assets/docs/BayouHealth/Informational Bulletins/IB12-27.pdf](http://new.dhh.louisiana.gov/assets/docs/BayouHealth/Informational%20Bulletins/IB12-27.pdf))

Upcoming Events

Tobacco Tax Increase Rally | 4/17/13 | Baton Rouge, La (State Capitol steps)

American Cancer Society will hold a rally to increase the state tobacco tax on the steps of the Louisiana State Capitol on Wednesday, April 17, 2013 from 12:00 noon – 12:30 pm. To register, go to: <http://www.surveymonkey.com/s/QX2WQPN>

Pediatric Jambalaya X | 4/27/13 | Lafayette, La

Annually the Woman's Foundation, Inc. and Acadiana Pediatric Society jointly sponsor a Spring CME activity. The "Pediatric Jambalaya X" is a mixture of health care topics which will enhance your pediatric practice.

The Acadiana Pediatric Society is a group of pediatricians from the Acadiana region of Louisiana. Their purpose is to network and discuss educational advancement and issues affecting Louisiana's children.

The Woman's Foundation, Inc., is a not-for-profit organization, dedicated to promoting the total well-being of women and their families. The Foundation provides continuing medical educational offerings for Louisiana physicians in the area of diseases and medical conditions affecting women and their families. Based on community and statewide needs, the Foundation strives to secure exceptionally competent professionals, respected in their fields, to present the most up-to-date information to practicing physicians who seek to acquire advanced skills and knowledge in the field of medicine and increase their professional performance, thereby, improving patient care.

Target Audience:

An integrated educational program for pediatricians, pediatric specialists, and family/general practitioners. Content is appropriate for other health care professionals, including registered nurses.

Conference Overview:

This comprehensive course will address periodic fever, bone & joint infections, risks involved with exposure to animals, pneumonia, foodborne illness, pneumococcal disease, new vaccine recommendations, vaccine safety, and lymphadenopathy.

Pre-registration is requested by Friday, April 19, 2013.

To Register:

Submit online registration at: www.womansfoundation.com

(or)

Mail form and payment to:

Woman's Foundation, Inc.

4630 Ambassador Caffery Parkway • Suite 100

Lafayette, LA 70508

For additional information, contact:

Taryn Daigle or Amy Pool

Phone 337-988-1816 • Fax 337-988-5613

or email: taryn@womansfoundation.com or amy@womansfoundation.com

[Download the online brochure](#) for all the details.

Academic Distinguished Series: Safe Children, Safe Classrooms, Safe Schools | 5/7/13 | Baton Rouge, La

Safe Children, Safe Classrooms, Safe Schools: Making Safety a Priority in Early Childhood Environments

Tuesday, May 7, 2013

Registration: 4:00 - 4:30pm

Program: 4:30 - 6:00pm

Holiday Inn Baton Rouge - South

9940 Airline Highway

Baton Rouge, LA 70816

Distinguished Speaker: Sonayia Shepherd, Ph.D.

Keynote Speaker, Safe Havens International

International Safety Expert

A popular and animated keynote speaker at major professional conferences, Sonayia N. Shepherd (Sony), Ph.D. has authored and co-authored sixteen books on school safety and emergency management. With an extensive background, including serving as a full time school safety practitioner in the nation's largest state government school safety center, Sony has worked directly with hundreds of public and private schools across the nation and has provided crisis response and recovery support following many school crisis situations and major disasters around the world, including Hurricane Katrina, Tsunami in Indonesia, Haiti, and outbreaks in Africa and Asia.

Sony has also appeared on Good Morning America, The Today Show, CNN, FOX, and 20/20. Graduating from high school at the age of 16, she has earned her graduate degree in Clinical Psychology and earned her undergraduate degrees in Political Science and Spanish from Phillips University. She also has a Ph.D. in Public Administration & Emergency Response Policy.

Information on EBRPSS CLUs, Social Worker CEUs, and Child Care Clock Hours available for this event will follow soon.

To register:

<https://app.e2ma.net/app2/survey/13962/213017594/7a32efde74/13249162/5341834/40939146/?v=a&v=a>

LA AAP Advocacy Day | 5/16/13 | Baton Rouge, La

The Louisiana Chapter of AAP will host its Second Annual Advocacy Day on Thursday, May 16, 2013. Details follow.

When: May 16, 2013 beginning at 8:30 AM

Where: Louisiana Municipal Association Building
700 north 10th st., First Floor Conference Room #2
Baton Rouge, La 70802

A light breakfast and lunch will be served.

This seminar is designed to introduce participants to the legislative process and the tools necessary to successfully and effectively advocate for the specialty of pediatrics.

Topics Include:

2013 legislative Session Overview
The Legislative Process
Importance of Grassroots Involvement in Healthcare Policy
How to Make a Difference & Be Effective When Lobbying

To register, go to www.advocacy2013.eventbrite.com

Pediatric Potpourri on the Bayou | 9/27-29/13 | Lafayette, La

Mark Your Calendar! The Annual Pediatric Potpourri sponsored by the Louisiana AAP Foundation and co-sponsored by Woman's Foundation will be held in Lafayette, LA on Friday, September 27, 2013 through Sunday, September 29, 2013.

Watch your inbox and mailbox for more details.