

LEGISLATIVE UPDATE 2011



2011 COA Annual Meeting
May 20, 2011

Presented by

Tim Shannon, Shannon Government Relations

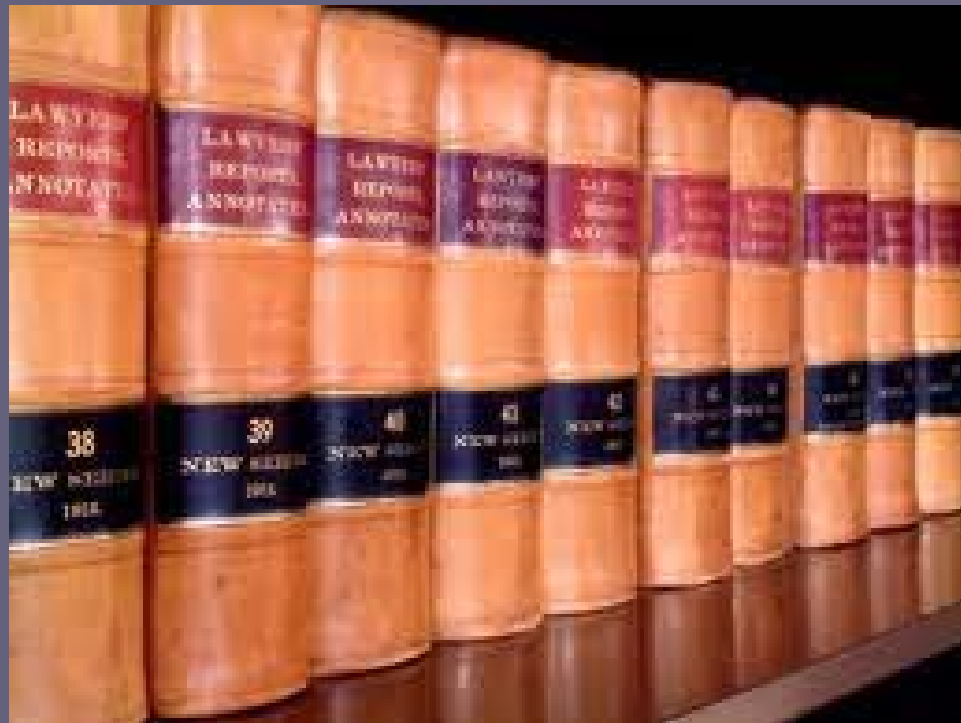
Legislative Make-Up 2011

- SENATE: 25 Dems, 15 Reps
- ASSEMBLY: 51 Dems, 29 Reps
- 28 New legislators elected in 2010
- 28 seats will be “open” in 2012



2011 Legislation

- Over 2300 measures introduced in 2011
- COA is actively tracking 50 + bills



Areas of COA Interest:

- Scope of Practice
- Workers Compensation
- Budget/Medi-Cal
- Payment Mechanisms/Managed Care
- “Other”

california orthopaedic association
“keeping you active”

Scope of Practice

- Physical Therapy
 - ▣ AB 783 (Hayashi)
 - ▣ SB 924 (Walters)
- Radiologists Assistants
 - ▣ AB 352 (Eng)

Legislation

- AB 783 (Hayashi) – COA Sponsored
 - ▣ Response to recent legislative counsel opinion and actions of PT Board
 - ▣ Clarifies that medical corporations may employ PTs
 - ▣ Supported by CMA, Podiatric Association, Occupational Therapist Association, Chiropractic Association, many PTs
 - ▣ Opposed by California Therapy Association

Legislation

- SB 924 (Walters) – Sponsored by California Physical Therapy Association
 - ▣ Reintroduced legislation that has failed twice in the last 4 years
 - ▣ Would allow direct access for 30 days of patients to physical therapists, without a “diagnosis” by a physician
 - ▣ Passed out of Senate Business and Professions Committee, but became a 2-year bill
 - ▣ Part of nationwide push by PTs to become primary care “doctors”

Radiologist Assistants

- AB 352 creates new license for higher trained RAs
- Bill as introduced would only allow supervision by radiologist; amended to allow other qualified M.D.s to supervise
- Creates Radiologist Assistant Advisory Council under Medical Board to make recommendations to board on standards

Workers Compensation

- SB 127 (Emmerson)
 - COA Sponsored; would require Division of Workers Compensation to update CPT codes annually, per AMA
- AB 584 (Fong)
 - COA Sponsored; would require that UR can only be performed by a physician licensed in California; vetoed twice before, has a good chance this year
- SB 923 (De Leon)
 - Sponsored by U.S Health Works; would require AD to adopt OFMS based on RBRVS by July 1, 2012; conversion factors in bill as introduced deleted, due to labor opposition

Workers Compensation

- AB 1155 (Alejo) Apportionment
 - Would prohibit race, religious creed, color, natural origin, age, gender, marital status, sex, sexual orientation or genetic characteristics from being considered a cause or factor or disability in apportionment or determination
- AB 378 (Solorio) Drug Compounding
 - Would cap payment for compounded drug products
 - Would cap payment for physician-dispensed products

Other Legislation

- SB 380 (Wright) Mandatory CME, Nutrition
 - Would have required 7 hours of continuing medical education in nutrition. Bill amended to authorize Medical Board to set content standards for education regarding a chronic disease to include information on nutrition.

- SB 747 (Kehoe) Mandatory CME, LGBT
 - Would require providers to complete one course on cultural competency, sensitivity, and best practice for care of lesbian, gay, bisexual, and transgendered persons

- SB 628 (Yee) Traumatology
 - Would create certification process for traumatologists
 - Scope and training to be determined by committee that includes COA, CMA, and MBC representation

State Budget

- \$26 billion shortfall
- Governor proposed \$12 million in cuts and taking money now dedicated to redevelopment, early childhood development, mental health and transit
- Major cuts to health and welfare: 10% medical provider cut, mandatory co-pays for office and hospital visits
- Governor proposed \$14 million in revenue by extending sales, income and vehicle taxes
- Too late for June ballot
- Litigation ?????