

# ADVOCACY

Advocating for Wyoming Doctors and their Patients Since 1903

**Bills of interest** to the Wyoming Medical Society are tracked on a spreadsheet and regularly updated. To access the spreadsheet, [CLICK HERE](#). The WMS Board of Trustees establishes positions on legislation on behalf of the association. Any member is welcome to request that WMS reconsider a position on an issue, or take another issue under review

## Up Next Week:

Next week will indicate the beginning of the second half of the legislative session. The legislature is in recess Monday, February 26, and will reconvene Tuesday, February 27. WMS is pleased that the majority of bills with which we found great concern failed to proceed making the second half of session a lighter lift.



## Spotlight on the Budget

The legislature spent the bulk of week two debating the state budget. More than 90 second reading budget amendments and 86 third reading budget amendments were offered between the House and the Senate, which meant late nights and early mornings this week. A number of bills met their fate through process deadlines while others suffered their demise as the result of healthy and vigorous policy debate.

### Wading in the Budget Weeds

The Wyoming Department of Health (WDH) submitted their budget proposal to the Governor last summer, the Governor made his recommendations and submitted his agency budget to the Joint Appropriations Committee (JAC) of the Legislature last Fall and after months of hearings and debate, JAC released their budget bill to the House and Senate for debate last Monday.

The Governor recommended \$1.86 billion dollars in state and federal money to fund WDH through the next biennium. The JAC cut that initial funding amount to \$1.835 with the biggest cuts coming in the



## WMS Doc of the Day

Thank you to our volunteers who serve the Wyoming Legislature and staff during the session. WMS is proud of our physicians who care for our Senators and Representatives.

- Amy Shaw, PA-C
- Afzal Khan, MD
- Betsy Spomer, MD
- Ron Malm, MD
- Phil Carron, MD
- Doug Parks, MD

## How To Connect:

The Wyoming Legislature is beta testing a new website and it's wonderful! To check out the new experience and get acquainted with a far easier way to navigate legislative bills, legislative contacts and session schedules, visit <http://lso.wyoleg.gov/>.

form of duration funding meaning that instead of funding programs or facilities for the full biennium, they funded only one of the two years. This action requires WDH to return to JAC in the next Legislative Session with recommendations for the last half of the biennium to make exception request funding decisions. One item of hot debate is the funding of the Wyoming Pioneer Home in Thermopolis with JAC deciding to only fund it for one year and the House debating whether or not to privatize it in an effort to save state dollars.

In addition to debating the 2019-2020 biennium budget this session, WDH and JAC had to come to agreement on funding shortfalls for the current 2017-2018 biennium budget. JAC appropriated \$21.4 million state general funds plus federal matching funds to cover shortfalls.

**The Physician Voice** was heard loud and clear this week on a number of debated policies. WMS testified in favor of two **opioid bills**, one establishing an opioid addiction task force and another for controlled substance prescription tracking. While states around the country implement heavy-handed mandates upon physicians Wyoming is taking a thoughtful and measured approach. SF83 requires that prescribers register with the state PDMP, but does not require that they report prescriptions or consult the PDMP prior to issuing a prescription. WMS also took an active role in stopping the Legislature in permitting the Dept. of Health to administer the state **CHIP program**. Providers are reimbursed an average of 20% more per code when caring for children covered under CHIP as it is administered by BCBS of WY. WMS was vocal in defeating a bill that would have authorized the **pharmaceutical industry to “truthfully promote” off-label use of drugs** to prescribing providers in the state. A state law that would have directly contradicted FDA regulations prohibiting this conduct. The State's Attorney General testified to the House committee urging caution in considering the bill stating that passing HB145 would potentially jeopardize the state's standing in a yet-to-be filed multi-state lawsuit against the pharmaceutical industry.

**The WMS Board of Trustees** elected to not take active positions on a number of legislative proposals and instead instructed WMS to monitor and report on their progress. These bills span a broad spectrum and are all included in the spreadsheet. Any member of WMS is welcome and encouraged to connect with their local county medical society trustee, WMS leadership or WMS Director Sheila Bush about any policy or position. A few bills currently neutral to WMS are highlighted below:

**SF97 - Medicaid & SNAP eligibility requirements** which mandates work requirements for medicaid beneficiaries to remain

eligible for benefits. WDH reported that of all medicaid beneficiaries in the state, roughly 3,300 were estimated to be eligible for the work requirements. 76% of these individuals are women whose average age is 33 and have 1.8 children under their care. The legislature debated the necessity of work requirements and at what expense implementing such a program would have to the state vs. the benefit. Ultimately, the Committee voted unanimously in favor of the proposal and the Senate passed it on second reading Friday.

**SF85 - Certificate of Nonviable Birth** passed the Senate Health/Labor Committee Wednesday morning after two days of opposing testimony from the public. Physicians testified in opposition to the bill stating concerns with requirements and implementation asking the Senators to consider amending the bill if they believed strongly in pursuing its passage. The sponsor of the bill amended the bill Friday to remove the mandate for physicians to inform patients of the option to receive a nonviable birth certificate.

**HB163 - Physician noncompetete clause** is a bill prohibiting the inclusion of noncompetete clauses in physician contracts within the state of Wyoming. The WMS Board spent a great deal of time discussing the merits of this bill and understanding the intent. Ultimately, WMS decided to remain neutral due to the strong opinions of our members on both side of the issue. This bill passed second reading in the House.



WYOMING  
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## Bills That Have Failed

- **HB11** - Professional licensing time limit regarding convictions
- **HB43** - Tobacco tax
- **HB62** - Hemp extracts amendments
- **HB73** - Safety belt usage
- **HB81** - CHIP - state administration
- **HB87** - Dept. of Health and Dept. of Family Services Combined
- **HB96** - Healthcare provider - sexual assault protections
- **HB107** - Pharmacy benefit managers prohibited practices
- **HB113** - Violence against a healthcare provider - enhanced penalties
- **HB124** - Health care transparency act
- **HB145** - Pharmaceutical manufacturers - promotion of off-label use
- **HB148**: Medicaid and SNAP eligibility
- **HB151** - Naturopathy licensing board
- **HB158** - Governmental immunity - waiver for health care facilities
- **SF88** - Health care reform