

Wyoming Medical Society

2022 Highlight Reel

SPEAKER Barlow and President Dockstader gaveled the 66th Legislature out for the last time late Friday night, March 11. The highs and lows that came with each week were reported in the weekly WMS advocacy updates, so we will take the opportunity with this final summary to cover some highlights and go into some depth on a few of the more important topics.

If we were to make a highlight reel of the 2022 Session, it would maybe kick-off talking about how both the House and Senate overwhelmingly passed a \$2.8 Billion dollar budget for the coming biennium, which, thanks to more than \$1 Billion in Federal ARPA funding, is \$400 million less than the previous state biennium budget. Next, the reel would cycle through the more than 260 legislative proposals drafted for consideration, 30 of which were worked closely by WMS advocates. Next, we might touch on the details of the ARPA funding proposals, and finally wrap up with the dramatic blow-by-blow details of a late-night Joint Conference Committee negotiation to fulfill the Constitutional requirement to redistrict the state.

The biggest accomplishments for many industries this year was that we managed to not burn it all down. As strange as that may sound, conversation

after conversation with advocates spanning a wide cross-section of interests focused on leveraging all we had to simply maintain status quo. WMS managed to prevent a myriad of harmful legislation from ever being introduced. It wasn't a perfect session but it turned out a lot better than it could have. Although our biggest accomplishments this year came in the form of defeating legislation rather than passing bills representing progress, it's still work we are proud of and thankful our members made it all possible.

Finally, it wouldn't be a highlight reel without at least touching on the historic afternoon in the Wyoming Senate when members and leadership took a stand and voted by a nearly 2/3 majority to draw a bright line to protect the integrity of the legislative body. Senator Anthony Bouchard (R-Cheyenne) was removed from his Committee assignments due to a continued pattern of disorderly conduct and unbecoming behavior. Sen. Bouchard sat on the Labor, Health and Social Services Committee as well as the Agriculture, State and Public Lands & Water Resources, Management Audit Committee, and the Select Committee on Legislative Facilities, Technology and Process.

State budget

THE Legislature is constitutionally required to present a balanced budget each biennium. A Consensus Revenue Estimating Group (CREG) January report forecasted a potential surplus of \$1.7 billion thanks to high sales and use tax receipts, federal stimulus dollars and rebounds in oil and natural gas prices.

The final 23-24 biennium state budget totals \$2,782,481,190 in general fund. A little more than 28% of that general fund

is appropriated to the Wyoming Department of Health with the majority of that funding passing through to pay for direct services across the state in the form of payments to providers and facilities.

Mental health is highlighted in this next biennium budget with over \$15 million specifically allocated for outpatient mental health, outpatient substance abuse, residential mental health and residential substance abuse.



Wyoming's renovated Capitol Building 2020

Building a PA School

LEGISLATORS have long discussed how to address Wyoming's healthcare workforce shortage. In the late 1970s they fiercely debated starting a medical school and instead ultimately established the University of Wyoming Family Practice Residencies.

Fast forward to the late 1990s when Wyoming completed the WWAMI acronym by adding the second "W" to the name. Wyoming now proudly trains 20 medical students each year through a partnership with the University of Washington School of Medicine, affectionally referred to as WWAMI - Wyoming's Medical School.

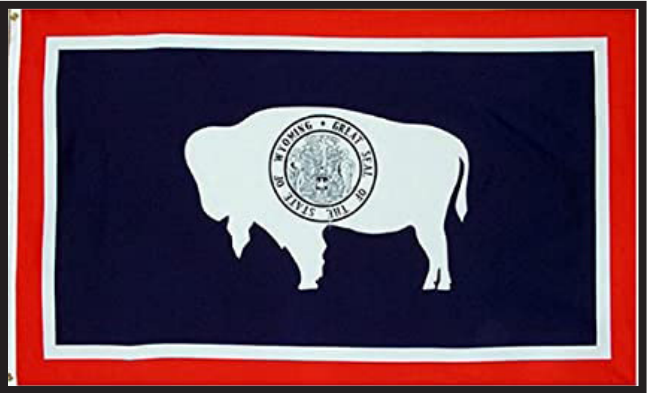
2022 saw a late development in the form of an amendment to the ARPA bill (SF66) allocating \$1 million in one-time federal ARPA funds to establish a PA school within the University of Wyoming College of Health Sciences to train five PAs per year. Ultimately, the \$1 million was reduced to \$500K and language was included to direct the program to allow the training PAs to do coursework remotely from a Wyoming community college.

Floor debate was fascinating with claims that UW could accomplish this legislative directive by simply pulling in a few chairs to the existing WWAMI classroom to facilitate the PA training. WMS, and numerous PAs around the state, attempted numerous times to help legislators understand the process of accreditation as well as the value of comprehensive workforce study prior to throwing money at a problem without a plan for sustainability or a healthy understanding of how the program would work, what it would entail or how its success would be measured. The bill passed with the language included despite our efforts to help redirect the funds to a comprehensive healthcare workforce study.

Ultimately, we could have a lot worse problems than an ill-informed attempt to throw together a PA training program. The intent is good and their hearts were in the right place, we just would have liked to have seen a little more collaboration and a willingness to slowdown in order to get the details right.



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WE NEED MORE PHYSICIANS IN THE LEGISLATURE

WMS has a long history of advocating within important health policy debates and ensuring the physician perspective is included in critical decisions. Sadly, medicine is more politicized than ever right now and far too many are benefiting by weaponizing misinformation and leveraging a narrative in which everyone can operate with their own set of facts. Objective fact seems to be taking a distant second to opinion and the latest social media post that garners public support. Correcting this climate is going to require all of us working together, and most importantly, will need physicians and PAs in the legislature to guide conversations.

WMS is proud of the work we do and more thankful than ever for the membership support that allows our work to continue. We have built a respectable reputation and fostered meaningful relationships with key state leaders and lawmakers. There will always be limits to what advocates can do from the hallway and meaningful change will inevitably require changing the conversations from within the legislative body.

We are experiencing a pivotal time in Wyoming politics. It's never been more important to get involved. While WMS can provide formal testimony in committees and equip legislative friends of medicine with good information, it will never be the same as having a physician at the mic when debates heat up. An individual who can stand up in floor debate to correct misinformation. The state needs doctors who can relay personal experience and expertise in the midst of elevated discussions to bring unique perspective to decisions that will impact the lives of every Wyoming patient.

If you're reading this column and would be willing to entertain the idea of running for office, or know a colleague who would be great, please contact the WMS office. We have resources to support you and can connect you with important groups across Wyoming who are ready and willing to help. It's never been more important than it is now to step up!

Scope of Practice Takes a Breather

THE last twenty years have seen a fair share of “scope of practice debates” wherein the legislature has attempted to solve physician shortage challenges by simply legislatively authorizing other healthcare professionals to swing into the physician lane. These efforts are almost always met with resistance, concern and frustration from Wyoming’s physician community.

This year was peacefully absent the ugliness of previous years’ scope of practice fights. The legislature briefly entertained licensing massage therapists but decided to wait until 2023 to have a meaningful conversation about doing so. They created yet another licensure compact, this time for occupational therapists and removed some supervision requirements for pharmacy technicians which pharmacists seemed to broadly support. Finally, rumors of authorizing psychologists to prescribe floated, but thankfully never formally surfaced. So, this Session concluded without the emotional debates and dramatic fighting that scope of practice fights so often bring.

The 2023 session may look different based on end of year talks. At the end of session, the House and Senate Committees that form the Joint Labor, Health and Social Services Committee convened to discuss prioritizing topics for interim work. At that meeting, more than 30 topics were presented, a good number of which focused on expanding the scope of Wyoming pharmacists.

WMS will need the help and support of our members to closely monitor these discussions throughout the interim to ensure the safety of Wyoming patients and to protect the invaluable partnership between physicians, PAs and pharmacists that serve patients so well today. One pharmacist testified during a meeting that she perceived her role as a pharmacist to be the clinician who is best positioned to be able to keep patients from having to ever see a doctor. Comments like these should raise alarm bells for everyone concerned with patient safety and quality healthcare in our state. As with all things, WMS will keep members updated as this issue moves forward.

abortion debates return and continue

NOT unlike recent sessions, this year brought the abortion debate back front and center. With several bills all focused on the procedure, the legislature spent countless hours debating each of the proposals with proponents once again characterizing good OB/Gyn physicians of our state as abortionists and bad actors in reproductive health. After days of emotional debate, all but one measure failed to make its way through this year’s process. WMS remained neutral on the procedure of abortion itself out of respect for the varying beliefs and opinions of our members, but did our utmost to educate on the dangerous precedent several of the bills presented and the unintended consequences that could result from passing poorly written and misguided legislation. We also worked to support any member who asked for help in navigating the process, or who asked us to provide resources to support their efforts. Several WMS members testified on each of the proposals sometimes in opposition to each other, demonstrating the sensitive and contentious nature of the issue.

The one bill that survived this year’s process was House Bill 92: Abortion prohibition-Supreme court decision. This bill is what many refer to as a trigger bill because it only engages if the Supreme Court overturns Roe vs. Wade. If the landmark Supreme Court decision is overturned, then a series of things have to occur in Wyoming, including important judgements from the current Attorney General, to prohibit abortion procedures across the state.

PASSED LEGISLATION

- Bi-ennium Budget
-Monitor
- Community health services
- continued redesign efforts
-Monitor
- Abortion prohibition-
Supreme court decision
- Monitor
- Occupational therapy
licensure compact
- Monitor
- Pharmacist and pharmacy
technician practice
-Monitor
- Expanding next generation
9-1-1
-Support
- ARPA Budget
-Monitor
- Epinephrine and naloxone
administration authority
- Support

FAILED LEGISLATION

- Medical treatment
opportunity act (Medicaid
Expansion)
-Support
- Visitation rights
-Oppose
- Vaccine requirements
limitations
-Oppose
- Contracts in restraint of
trade
-Monitor
- Broadband and telehealth
access projects
-Support
- Child endangering
controlled substance use
while pregnant
-Oppose
- Decriminalization of
cannabis
-Monitor

FAILED LEGISLATION CONTINUED

- Prohibiting mask discrimination for COVID-19
-Oppose
- Living organ donor protection
-Support
- Ban on COVID-19 vaccine passports
-Oppose
- Highway safety child restraints
-Support
- Wyoming medical cannabis
-Oppose
- Human life equality-prohibiting discriminatory abortions
-Monitor
- Telecommunicator cardiopulmonary resuscitation
-Support
- Substance abuse and mental health accreditation amendments
- Oppose
- Pharmacy benefit managers act enhancements
-Monitor
- Prohibiting chemical abortions
-Attempt to amend/Oppose
- COVID and mRNA vaccine status privacy and discrimination
-Oppose
- Child protection dangerous drugs
-Oppose
- Massage therapy practice act
-Monitor
- Penalties for mandating COVID-19 vaccinations-2
-Oppose
- Employer COVID-19 vaccine mandates and exemptions
-Monitor

public health, medicaid expansion and more

WYOMING'S Legislature went to work on several other bills of great interest to WMS members. Many of these bills can be broadly categorized under public health initiatives, and include a wide range of topics. Initiatives ranged from highway safety child restraints, next generation 9-1-1, and mandating telecommunicator CPR training for public safety dispatchers to failed attempts to criminalize pregnant women suffering with substance abuse issues.

COVID-19 policies weren't absent from the debate this year as legislators argued about whether or not state government should dictate hospital visitation policies, the extent to which independent businesses should be allowed to implement COVID-19 regulations to protect employees and the public, and what accommodations should be afforded to anyone refusing vaccination. The legislature defeated all of the COVID-19 related bills early in the session.

Thanks to the 66th Legislature, an estimated 25,000 Wyomingites will go another year without access to care as a result of defeating several attempts to expand Medicaid to the state's working poor. A stand-alone bill to open a door to healthcare services (HB20) failed the required 2/3 introductory vote in the Senate. Supporters continued to work to amend Medicaid Expansion into other bills moving through the process without success. WMS appreciated their efforts and stood alongside coalition partners in supporting the efforts.

One of the more contentious issues that dominated conversations this year was pharmacy benefit manager regulation. The Joint Labor, Health and Social Services Committee spent hours in the 2021 interim attempting to find the right way to balance competing interests of insurance, pharmaceutical manufacturers and pharmacies all while protecting the patient consumers and keeping prices in check. Ultimately, the bill was defeated but legislators made it clear they intended to prioritize addressing the concerns raised by Wyoming pharmacies in the 2022 interim.

Another topic quickly earning its place on the list of perennial issues for debate in our state is cannabis. This year saw two bills related to changing marijuana regulation. The first, House Bill 106 proposed to decriminalize marijuana and the other House Bill 143 attempted to open access to medical cannabis. Both initiatives failed to move forward this year. WMS has traditionally stood in opposition to medical marijuana out of concern that it unnecessarily positions prescribers as gatekeepers to a desired substance without sufficient evidence and prescribing guidelines.

ARPA funding played a key role in this year's session. The dollars made available through the American Recovery Plan Act eased a lot of pressure on the state budget and also opened numerous opportunities to make a difference in the lives of Wyoming citizens. A few priorities for WMS included \$708K for family medicine residency programs and \$1.6 M for WWAMI tuition and fees. Other important projects included EMS stabilization, EMS regionalization pilot, and suicide prevention along with a host of other mental health initiatives. Many of the Governor's ARPA funding recommendations were work products of the healthcare task force on which WMS proudly sits.

Government moves slowly by design. After four weeks of intense debate, early mornings and long nights, only eight of the more than 30 bills being monitored or worked by WMS advocates went to the Governor for final signature. Some initiatives we supported failed and some bills we didn't think took Wyoming in the right direction passed. It's the nature of the process and WMS is honored to have members believing in WMS to carry their voice in the Capitol.

OUR PROCESS AND HOW TO GET INVOLVED

Ever wonder how the WMS determines positions on legislation or how you can do more to get involved? Each member is represented by a county medical society trustee who carries the voice of physicians in their area to the state board of trustees where policies are debated and decisions made about how and where WMS will focus efforts each legislative session. Disagree with something we did, or didn't do? We want to hear from you! Please never hesitate to contact your county trustee, listed on the WMS website at www.wyomed.org, a member of the WMS Executive Committee, or your WMS staff in Cheyenne.

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