EDPMA’s 2019 Federal & State Advocacy Successes

Federal Successes in 2019:

1) Out-of-Network:

- Problematic Proposals on Surprise Billing were Not Passed in 2019
- Senate HELP and House E&C leadership proposed tying the payment standard to a date in the past (January 31, 2019) to limit future manipulation by insurers
- Some form of IDR is included in all proposals under consideration
- Problematic proposals in limbo for 2020
- Over 100 cosponsors for Ruiz/Roe bill focused on IDR
- 14 holds on Senate HELP proposal that did not include IDR
- Congressional leaders dropped their bundling proposal
- Report Language in Continuing Resolution encourages designation of an independent federal database

2) Medicare Reimbursement

- Increased reimbursement for revalued ED codes
- Redefined "hospital based" group so it is easier for a group to be reweighted for promoting operability
- Easier for a group to get credit for improvement activities
- 1.0 GPCI work floor (which protects reimbursement, especially in rural areas) is extended until May 23, 2020

3) Prudent Layperson Standard:

- After EDPMA wrote Tricare with concerns, Tricare immediately improved messaging to patients on inappropriate use of ED.

State Successes in 2019:

1) Out-of-Network

- Washington: eliminated reference to Medicare
- Virginia: included EM on task force and eliminated Medicare reference
- Georgia: stopped problematic bill and amendment that weakened the proposed reimbursement standard
- New Mexico: selected FAIRHealth database

2) Prudent Layperson Standard

- Maine: Governor withdrew Medicaid waiver with $10 copay for inappropriate use of the ED based on a diagnosis list
- Maine: PLP legislation passed requiring review of medical record before denial