

## **NJAFP GA Committee HOD 2020**

It has obviously been a unique and challenging environment for advocacy in Trenton. The majority of advocacy has been covid-related and through the Governor's office and the NJ Department of Health. The Legislature was in oversight mode with checks and balances on the Governor's actions. Legislative committee hearings are still almost exclusively virtual/zoom - which is challenging, as well. The focus of course has been on hospitalizations and long-term care with the NJDOH and we worked very hard to keep raising the clinical importance of primary care, as well as the challenges of primary care practices during COVID. I've highlighted areas that we have worked on during this time, which is not exclusive to the daily monitoring of issues we do all the time.

COVID RESOURCES: We have continued to resources to our members on our COVID resources page. We are in the process of revamping it to ensure it evolves throughout the public health emergency. To date we have clinically focused content and as much information and resources we could gather on assisting practices with the state and federal grant/loan programs available to them.

TELEMEDICINE: Since the beginning of the Public Health Emergency we focused on the relaxation of rules related to telemedicine for state regulated plans - -taking the lead from CMS telemed rules for Medicare, which pressured self-funded plans to follow. As we moved into the next phase - we are working with the Governor's office, Medicaid and the Legislature to permanently adopt these "covid telemed" rules for state regulated plans and also guarantee parity for telemed and in person services when telemed is provided by a provider with an

existing brick and mortar relationship. There are several bills we've been promoting:

- S2559/A4179 - - provides parity in payment/codifies relaxation of telemed rules for state regulated plans, Medicaid, NJ Family Care, State health/employee benefits plans.
- S2467 – provides extension of relaxation of telemed rules to 90 day past public health emergency

### TRUTH IN ADVERTISING LEGISLATION

The medical community in Trenton is making another attempt to get legislation passed that would ensure proper identification of health care professionals, both in the hospital and ambulatory care setting. This bill also makes sure that health care professionals are at a minimum identifying appropriately their professional degree, titles and board certifications on any advertising for services.

- S2465/A4143 - - Senate President Sweeney and Assemblyman Conaway are sponsoring this legislation. SP Sweeney is especially interested in this issue as a result of the vaccine debate in Trenton and many health care professionals presenting themselves as experts using the title “doctor” but not identifying themselves by their degree.

EXECUTIVE ORDERS: NJAFP has been scouring ever Executive Order issued by the Governor and in the beginning they were fast and furious.

Scope of Practice: There was a great deal of relaxation of certain professional's scope of practice (APNs, PAs). These changes were deemed necessary by the Commissioner of Health to address any potential shortage of workforce that might arise during the pandemic in acute care facilities. The Order was expanded to include all settings before it was published. These scope relaxations will revert once the

Public Health Emergency is over – however – as scope has always been a priority advocacy agenda, we are well aware that certain organizations are using this pandemic to further their own expansion of scope advocacy agenda – and independent practice for APNs is one.

The Access to Care Coalition of which NJAFP is an active member is made up of over 16 physician specialty societies and this is a top priority for the Coalition.

- Coalition is seeking information from the health systems to determine if the EO was helpful or being utilized at all in hospital setting, emergency or otherwise.
- Coalition members are considering a survey to specialty societies to determine how this EO was used in private practice.
- Coalition has approached the Governor to limit this EO to in patient critical care – to limit its application.

### Restrictive Covenants

Legislation was introduced that would eliminate restrictive covenants for certain size practices. This has created incredible turmoil in the physician community as it is a very complicated issue and the bill would create a tiered system of allowing the use of RCs or not and it exempted health systems. This bill is now on hold because of the many nuanced views about this issue.

- A4003/S2435 – This bill is sponsored by Assemblyman Conaway and Senator Gopal. The Coalition met with them both, which has led to the bill being placed on “hold” for now until the entire physician community can support a version.

### Primary Care Investment

Obviously COVID put some NJAFP initiatives on hold because they weren't urgent and related to COVID. This is still the case with the Governor's office and the Legislature – so it is very challenging to get anyone's attention on this.

- Budget argument – Given we need to promote a savings argument in this budget environment in NJ to get any attention - we've asked AAFP and other states that have adopted a primary care investment policy to determine any state budget savings that have been realized and we can use to promote to the state. We have not heard back yet. I anticipate that if we are able to get this information we will meet with the Treasurer's office with the support of Commissioner Johnson (Medicaid) – see below.
- Stakeholder Meetings:
  - In February/March Dr. Ciminelli and our Task Force were at the point where we prepared ouwere scheduling stakeholder meetings that were canceled. We just started reaching out, again. This triggered our presentation today with Linda Schwimmer with NJ Health Care Quality Institute.
  - Ray and I met with Assemblyman Greenwald and Commissioner Carole Johnson (Medicaid) to discuss primary care investment in Medicaid and State Health Benefits Programs – COVID admittedly has dominated the Commissioner's attention and some follow-up has been pushed back on the state's party.