

Panel: AZ Telehealth Legislation



Heather Carter, EdD

Senator

Arizona State Senate,
Legislative District 15



Mike Keeling, Esq., PE

Partner

Keeling Law Offices, PC



Marcus Johnson, MPH

*Director, State Health Policy
and Advocacy*

Vitalyst Health Foundation



Moderator:

Elizabeth Krupinski, PhD

Co-Director

Southwest Telehealth Resource Center

Arizona Telemedicine Policy Symposium



Producing Health Through Telehealth

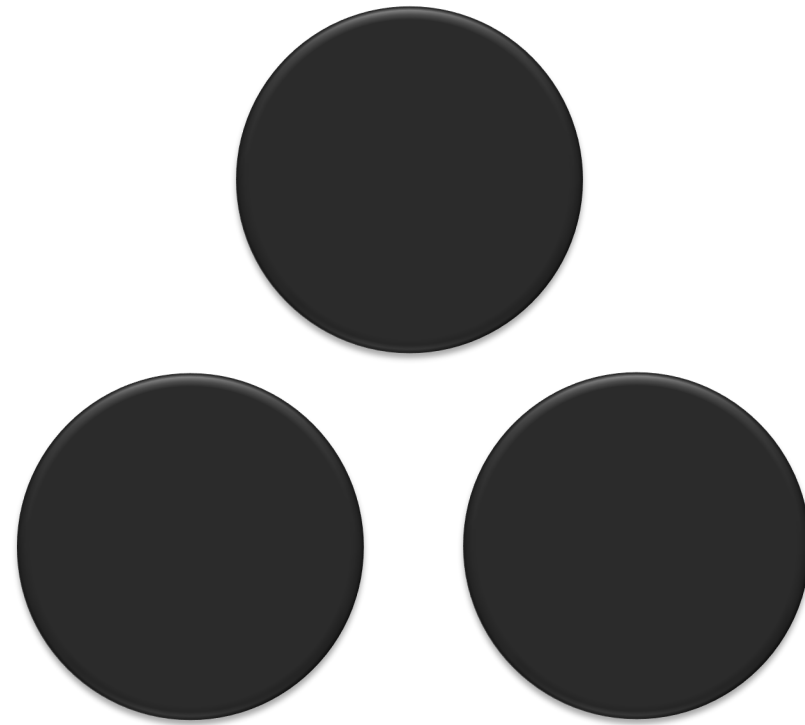
Telehealth Policy in Transformative Times



Marcus Johnson
Director, State Health Policy & Advocacy
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HEALTH = \int **HEALTH CARE**

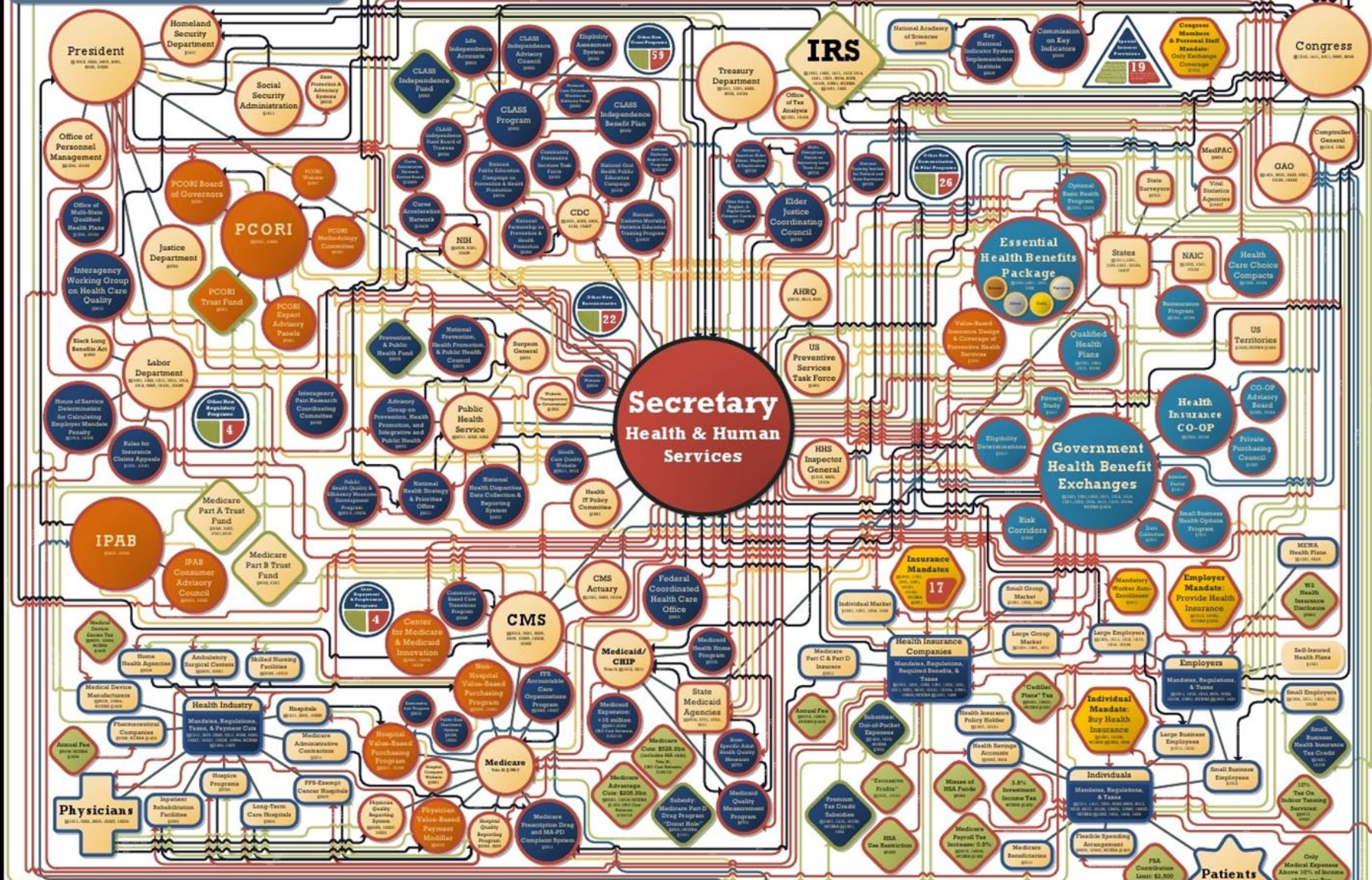




THEREFORE...



Your New Health Care System



New Government

- Rationing Potential
- Mandates
- Taxes & Monetary Fees/Penalties/Cuts
- Trust Fund (Rationing Potential)
- Other New Trust Funds/Monetary Benefits

Expanded Government

- Government with Expanded Authority/Responsibility
- Government Financial Entry with New Inflows/Outflows
- State/Territory with Expanded Authority/Responsibility

Private

- Private Entity with New Mandates/Regulations/Responsibilities
- Unchanged Private Entity
- Special Interest Provisions

New Relationships

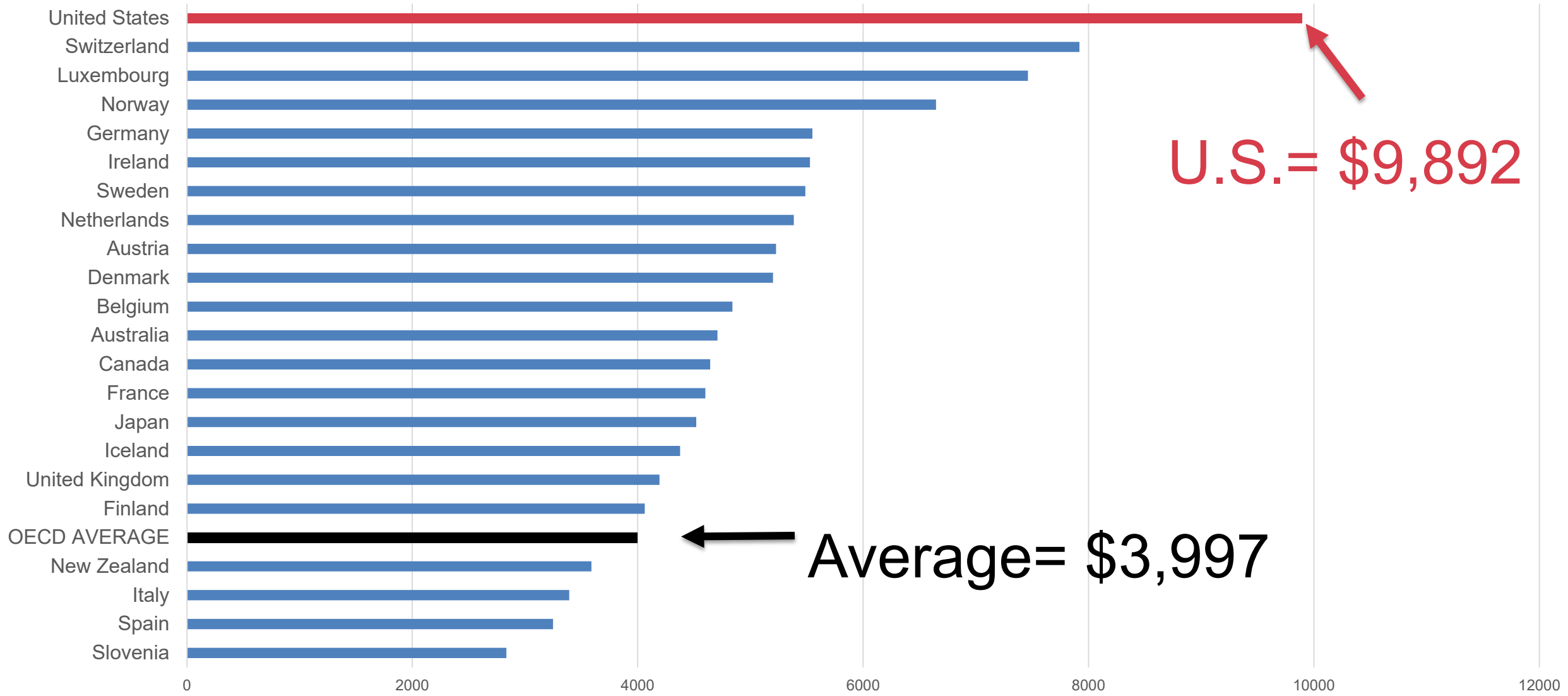
- Regulations/Requirements/Mandates
- Reporting Requirements
- Oversight
- Money Flows
- Consultation/Advisory/Info Sharing
- Structural Connections (Includes Existing)

AGI: Adjusted Gross Income
 AHRQ: Agency for Healthcare Research and Quality
 CDC: Centers for Disease Control and Prevention
 CHIP: Children's Health Insurance Program
 CLASS: Community Living Assistance Services & Supports
 CO-OP: Consumer Operated & Oriented Program
 FFS: Fee-for-Service
 FSA: Flexible Spending Arrangement
 GAO: Government Accountability Office
 HCEIRA: Health Care & Education Reconciliation Act
 HHS: Health & Human Services Department
 HSA: Health Savings Account
 IPAB: Independent Payment Advisory Board
 IRS: Internal Revenue Service
 MA-PC: Medicare Advantage Prescription Drug
 MACAP: Medicare Payment Advisory Commission
 MED: Medicare Modernization Act
 JACOBS: Executive Advisory Joint Office: Regional Systems
 MEWA: Multiple Employer Welfare Arrangement
 NAC: National Association of Insurance Commissioners
 NDI: National Institutes of Health
 PCORI: Patient-Centered Outcomes Research Institute
 PPS: Prospective Payment System

U.S. Health Care System



Health Spend per capita (US\$, 2016)

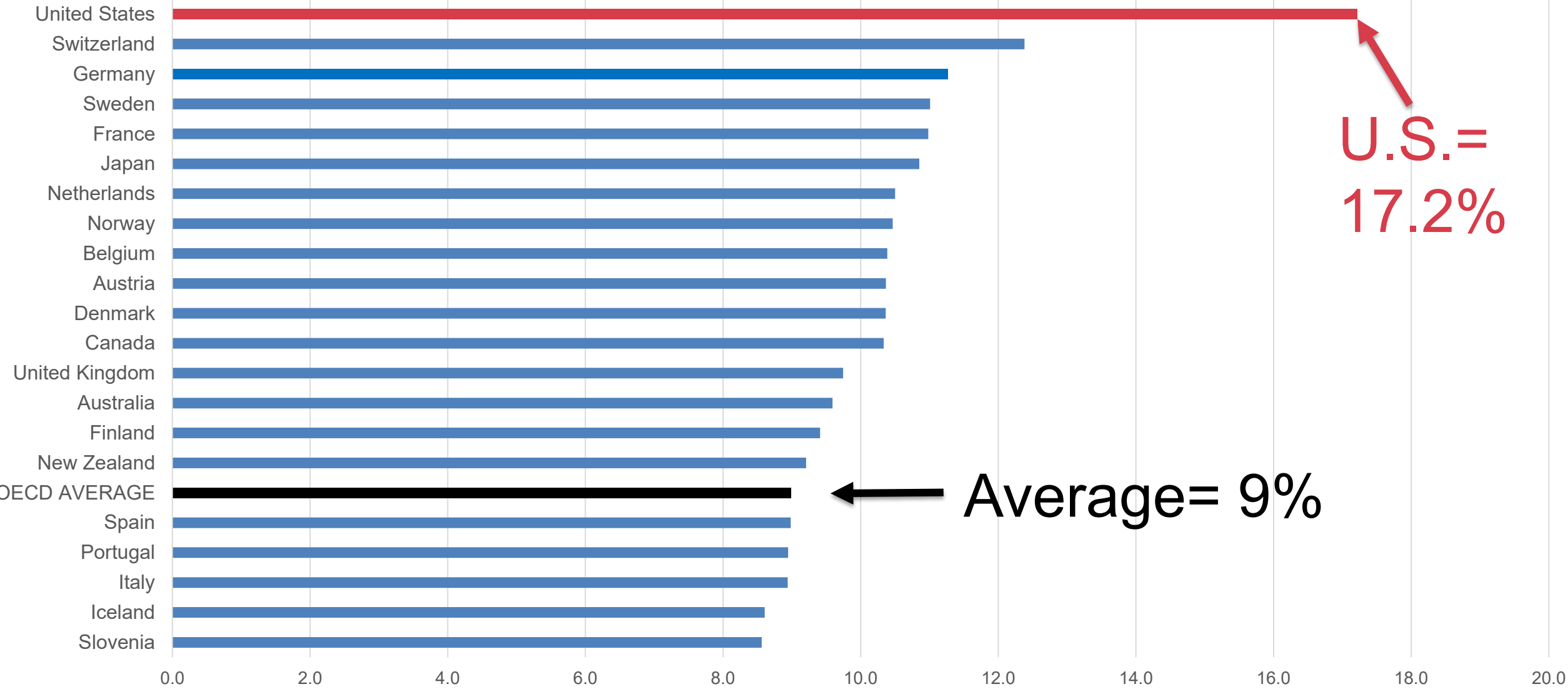


U.S. = \$9,892

Average = \$3,997



Health Spend by % GDP (2016)

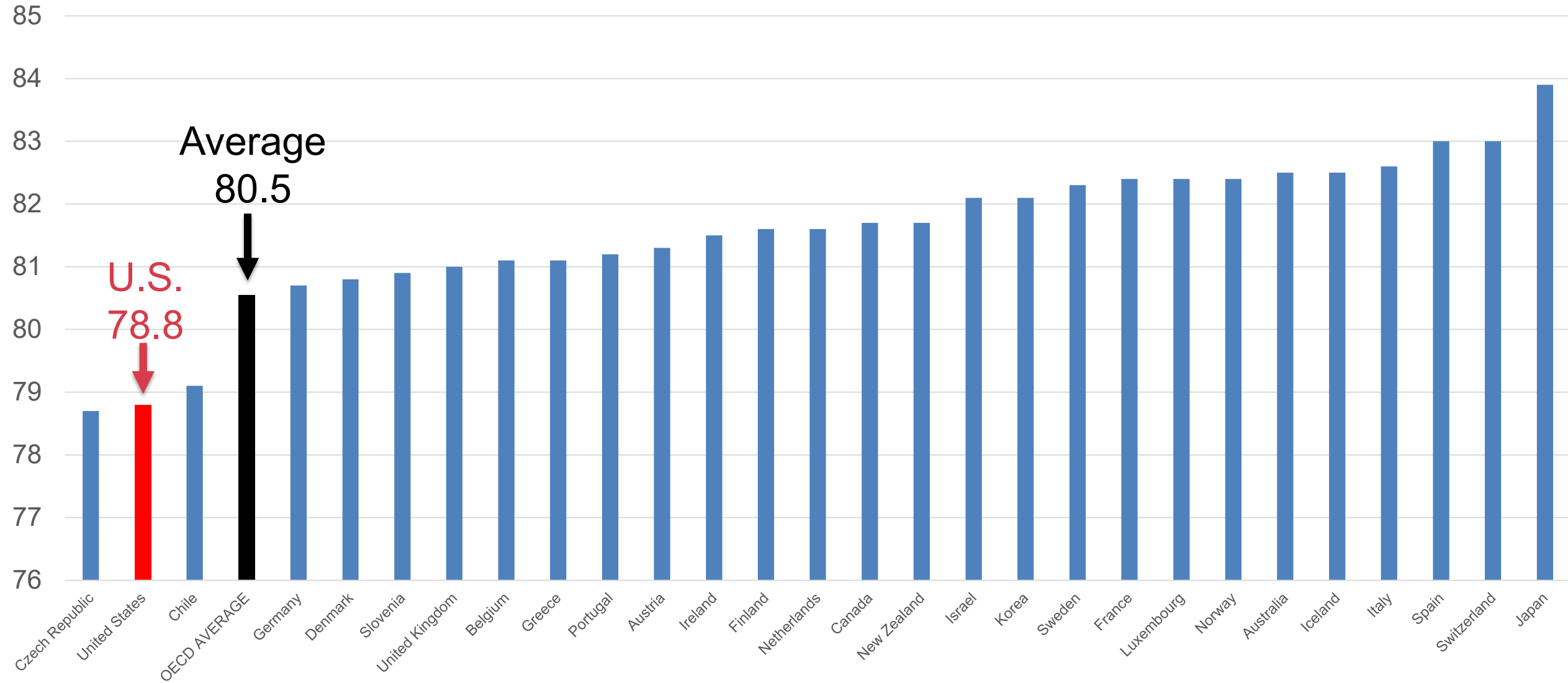


U.S. =
17.2%

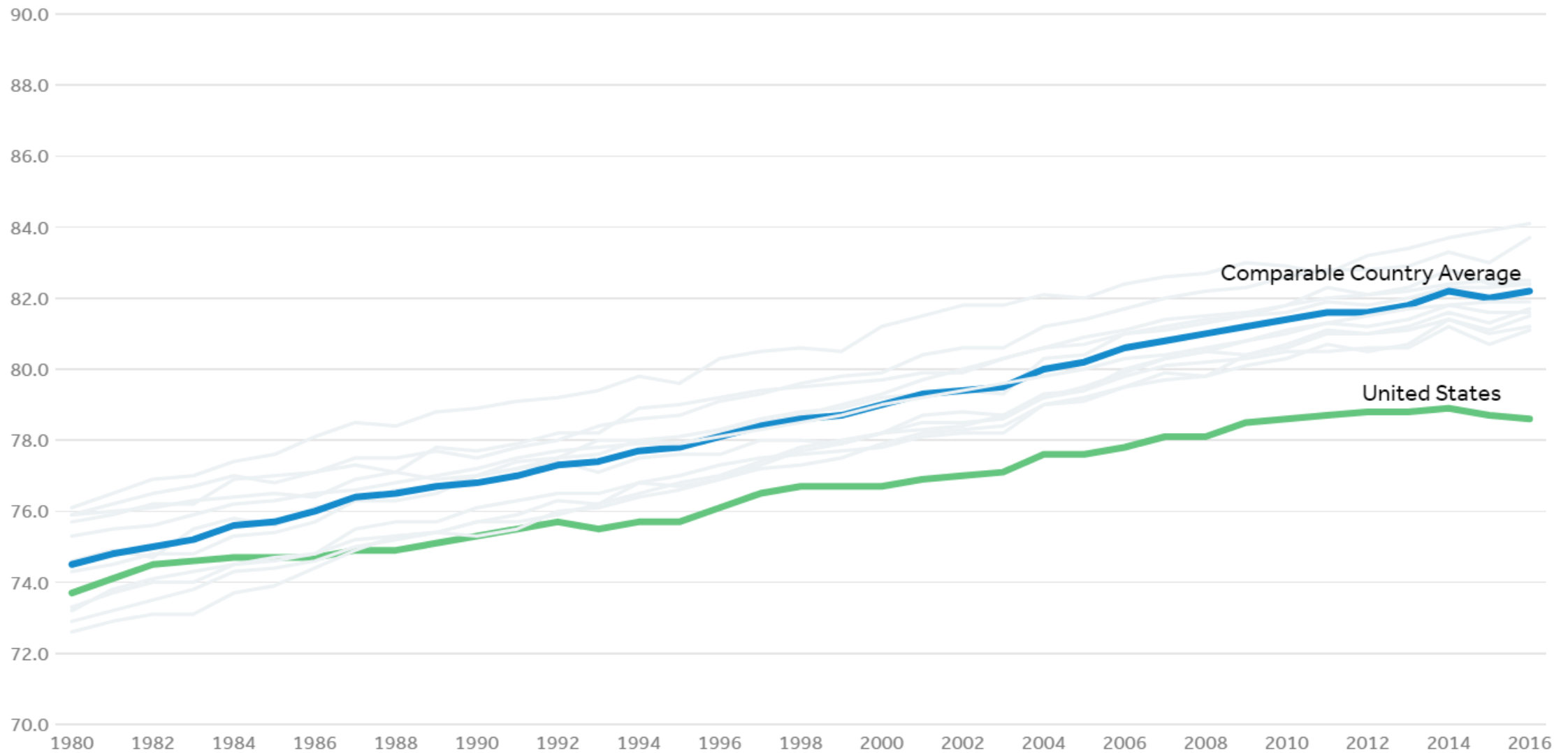
Average = 9%



Life Expectancy by Country (2015)



Total life expectancy at birth in years, 1980-2016



Notes: Break in series for Canada in 1982; Belgium & Switzerland in 2011. Canada & France data for 2016 are not available. Data for the nearest year are used in the comparable country average for that year.

Source: Kaiser Family Foundation analysis of 2018 OECD data: "OECD Health Data: Health status: Health status indicators", OECD Health Statistics (database) (Accessed on December 03, 2018).

• [Get the data](#) • [PNG](#)

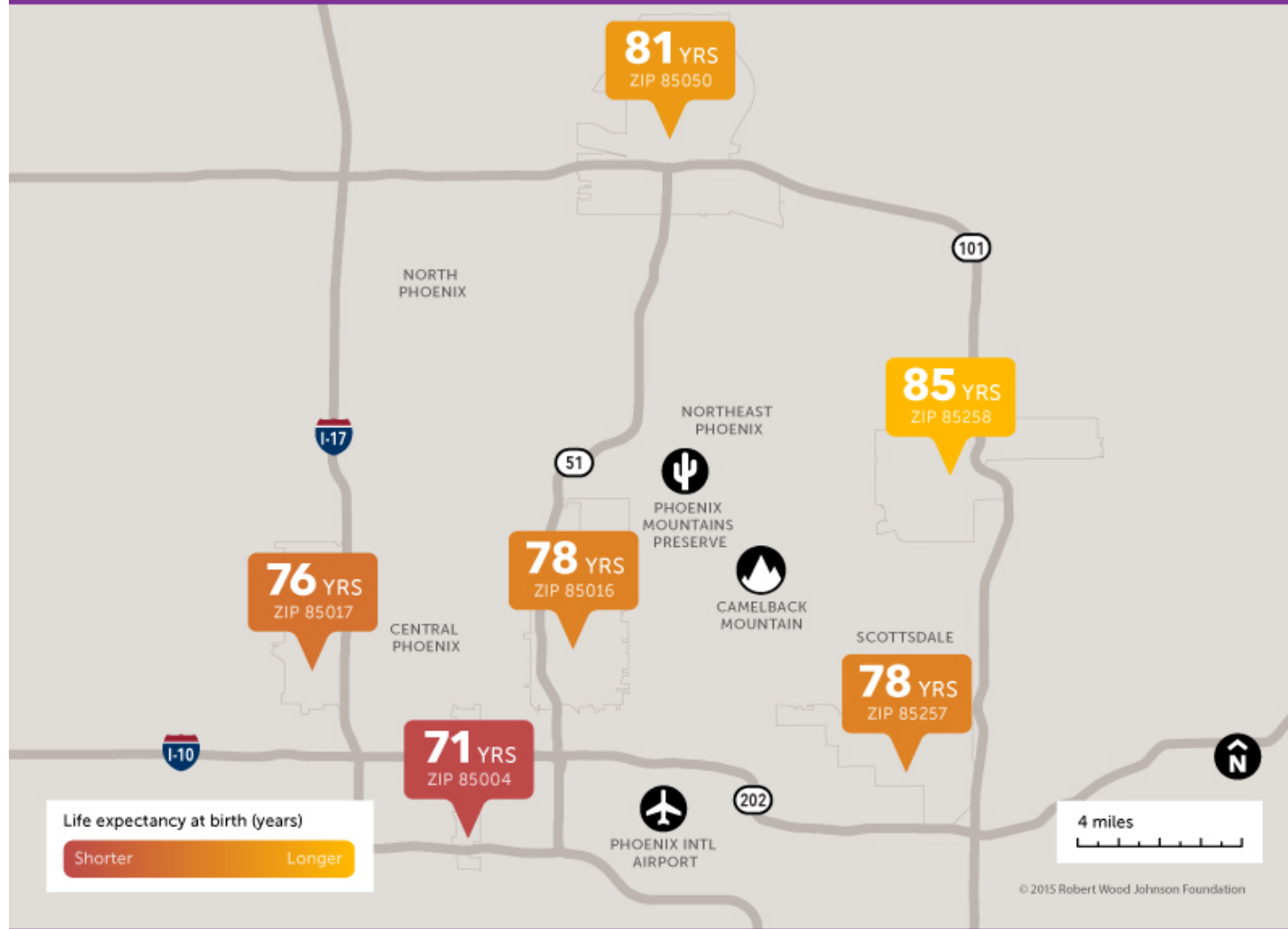
3 years of declining U.S. life expectancy Unseen since 1915-1918 (World War 1 & Flu Pandemic)

WHY?

Drug Overdose Deaths Quadrupled since 1999
(Opioids, Fentanyl, Heroin)

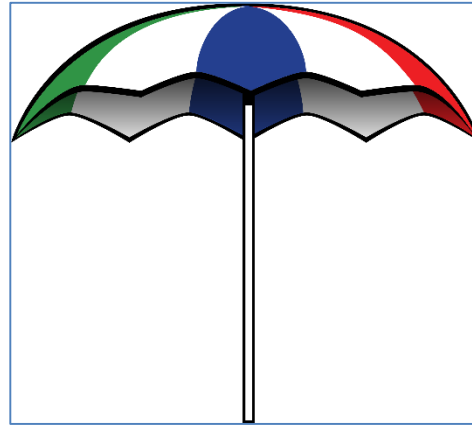
Suicide Rates Increased Since 1999
(17.8 → 22.4 per 100,000 men; 4 → 6.1 per 100,000 women)

Short Distances to Large Gaps in Health



Healthcare Overhaul

INSURANCE COVERAGE



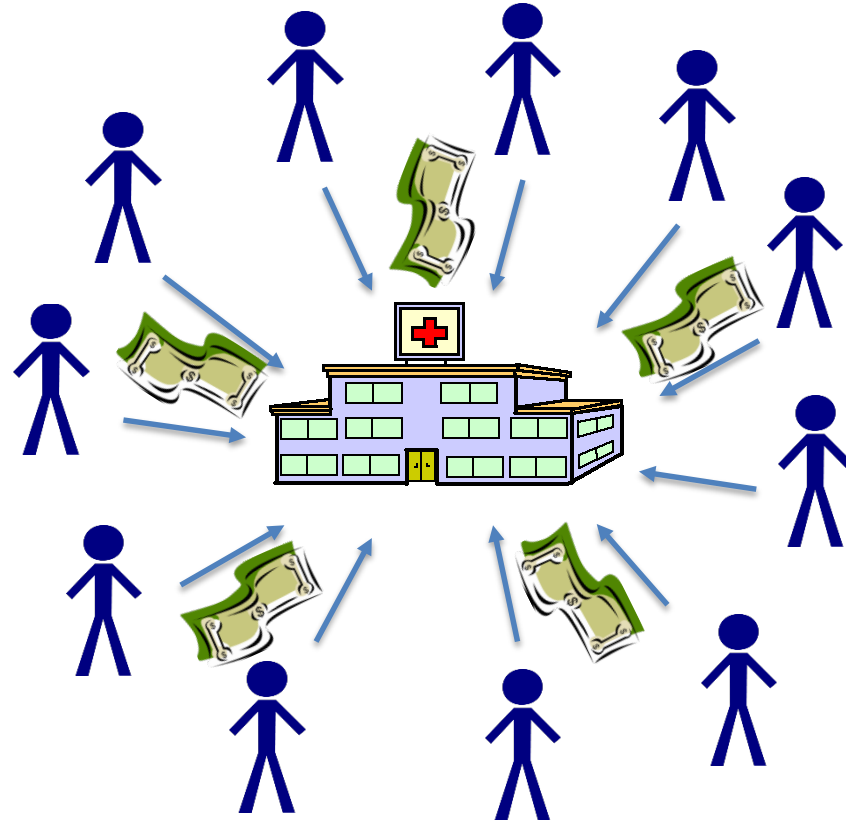
HEALTHCARE FINANCE



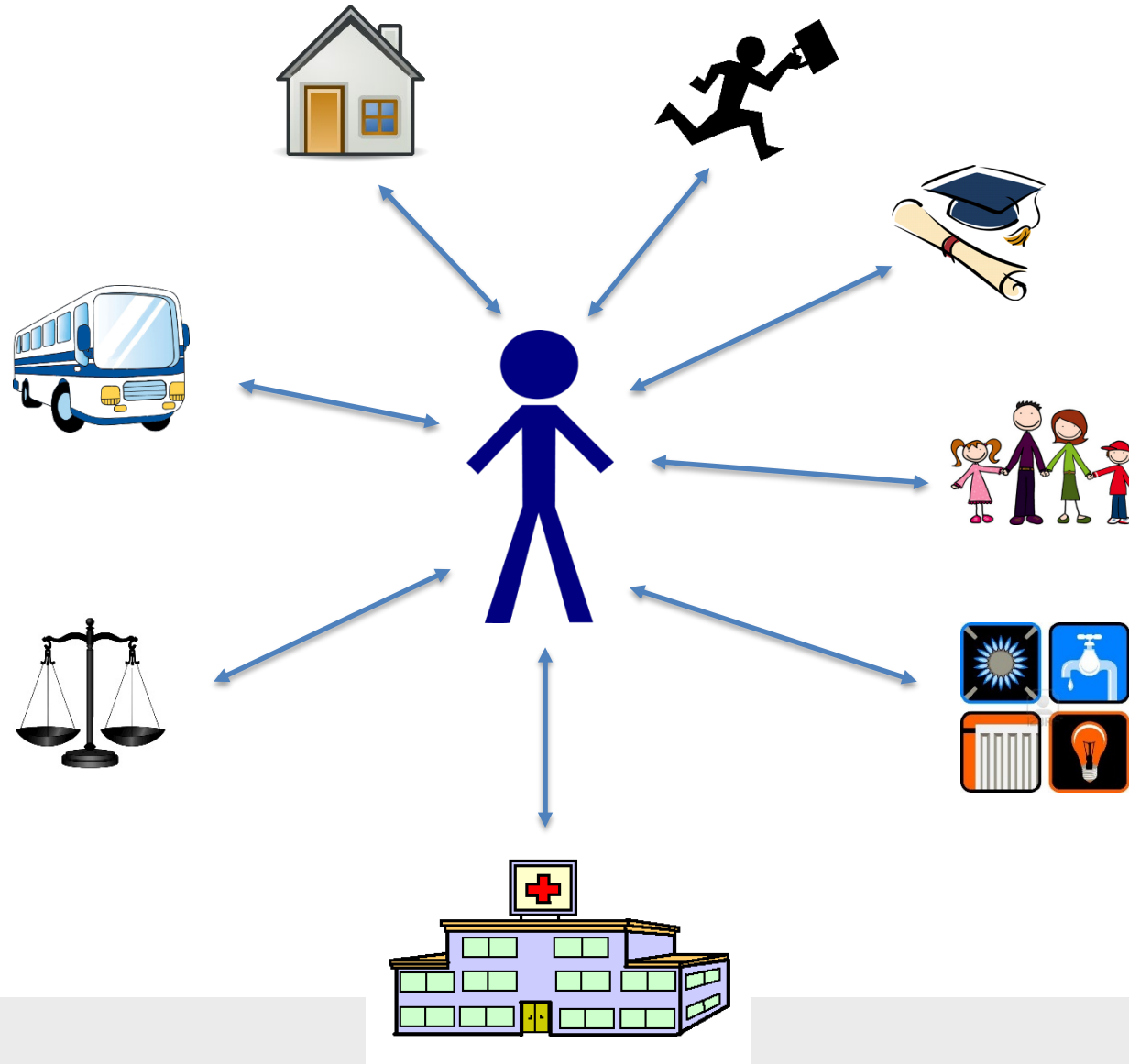
CARE DELIVERY



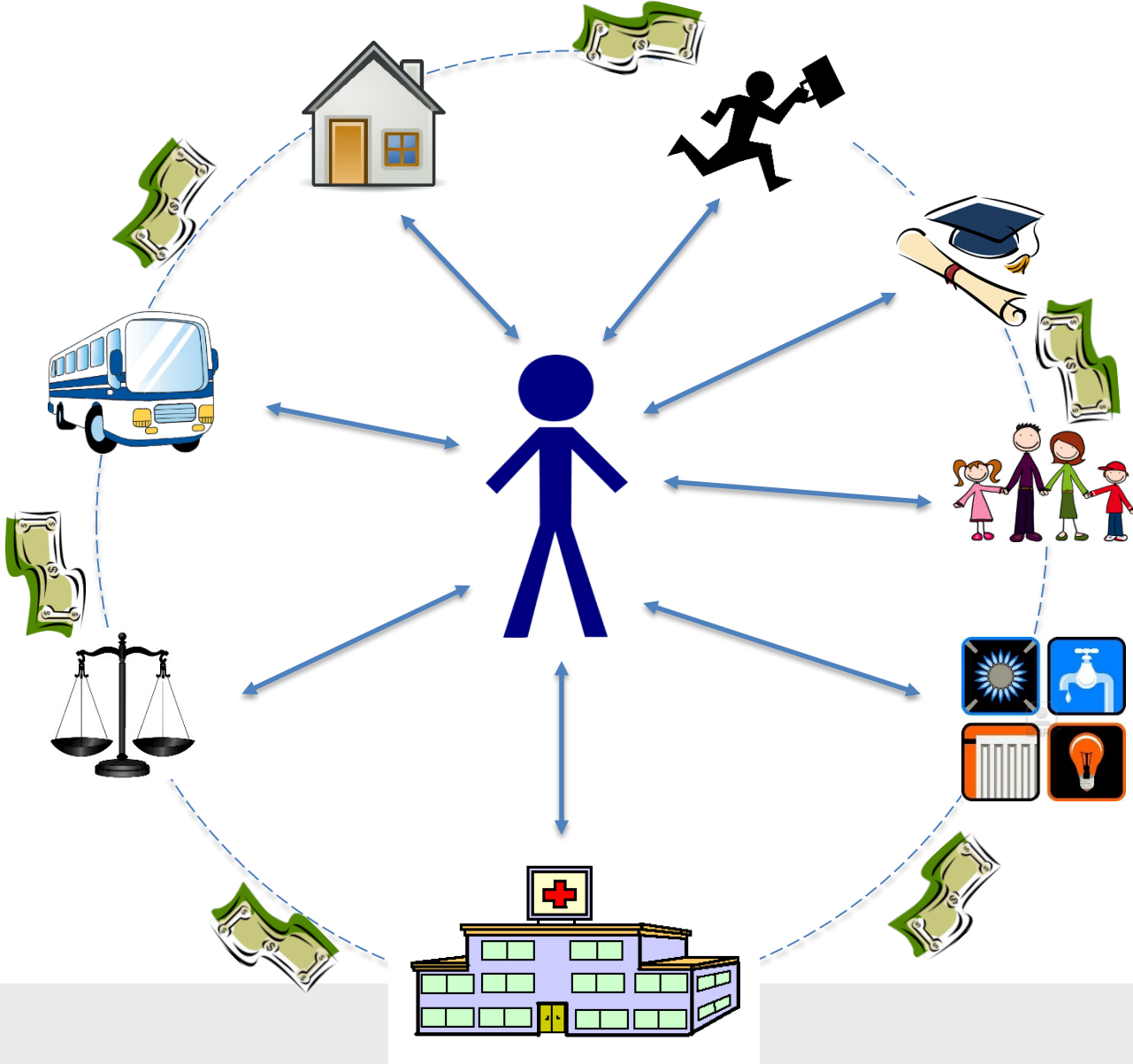
MOVING AWAY FROM



MOVING TOWARD

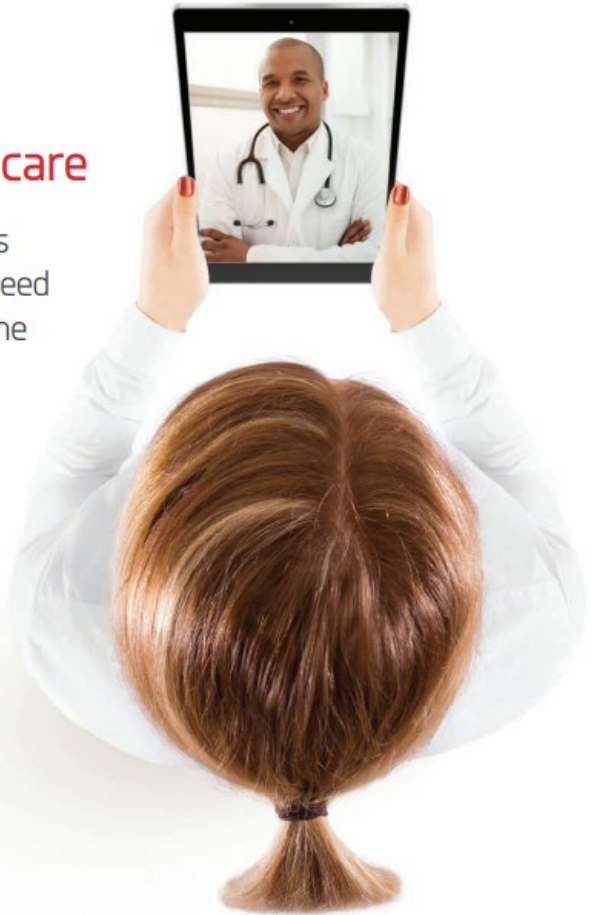


MOVING TOWARD

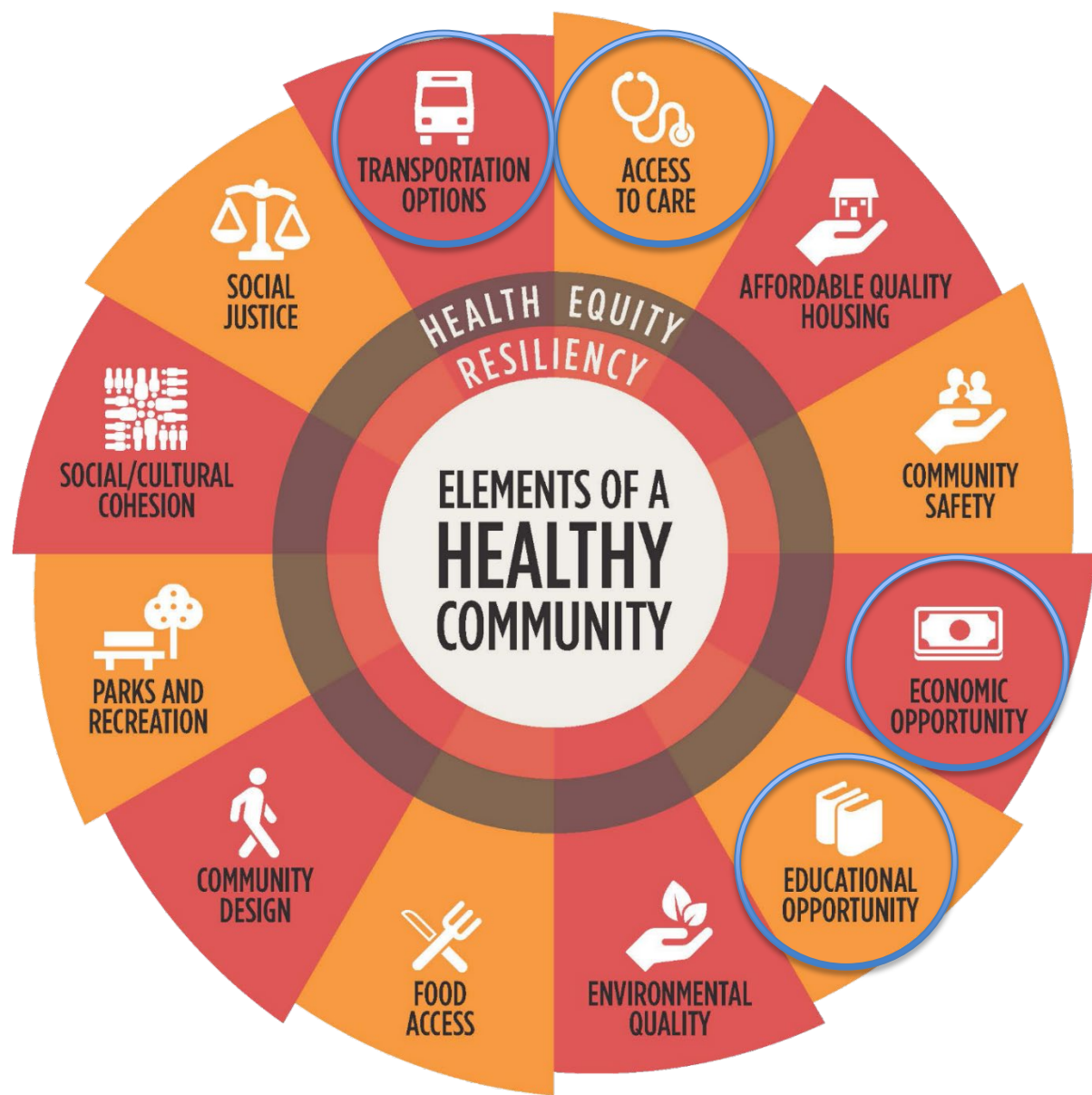


Online Healthcare

Connecting Patients to the Care They Need Through Telemedicine



October 2017 The delivery of care via telecommunication technology can strengthen both the state's healthcare workforce and healthcare delivery system. It can ensure that Arizona's communities receive more of the care they need when and where they need it.



AZ Telehealth Coverage Parity Progression

- Limited private payer coverage parity
 - SB 1353: Signed into law 2013; effective 1/1/15
 - **7 specialties only** (trauma, burn, cardiology, ID, mental health, neurologic diseases, dermatology)
 - **Rural AZ only**



AZ Telehealth Coverage Parity Progression

- “Body part by body part” ...
 - SB 1363, signed 2016: **Removes rurality & adds pulmonology** effective 1/1/18
 - HB 2042, signed 2018: **Adds substance abuse & pain medicine** effective 1/1/19; **adds urology** effective 1/1/20



2019: SB 1089 Signed into Law

- Extends mandated private payer coverage to **all services that would be covered in person**
- Adds **asynchronous & RPM**
- Signed April 2019
- Effective 12/31/2020



The image is a screenshot of a news article from the website mHEALTH INTELLIGENCE. The website's logo is at the top left, with the tagline 'xtelligent HEALTHCARE MEDIA'. A navigation bar below the logo contains links for 'Home', 'News', and 'Fea'. A secondary navigation bar lists categories: 'Apps & Software', 'Devices & Hardware', 'Remote Monitoring', 'Telehealth', 'Policy', and 'Focus on Interoperability'. The article is titled 'TELEHEALTH NEWS' and has a main headline: 'Arizona's New Telemedicine Law Expands Coverage, Adds Platforms'. The sub-headline reads: 'Arizona Governor Doug Ducey has signed into law a telemedicine bill that improves payer coverage for telehealth and adds store-and-forward and remote patient monitoring platforms to the list of approved services.' Below the text is a photograph of a stethoscope, a blister pack of capsules, and a yellow notepad with the word 'Telemedicine' written on it. At the bottom of the article, it says 'Source: ThinkStock' and 'By Eric Wicklund'. There are also social media sharing icons for Facebook, Twitter, LinkedIn, Email, and Print.

mHEALTH
INTELLIGENCE
xtelligent HEALTHCARE MEDIA

Home News Fea

Apps & Software Devices & Hardware Remote Monitoring Telehealth Policy Focus on Interoperability

TELEHEALTH NEWS

Arizona's New Telemedicine Law Expands Coverage, Adds Platforms

Arizona Governor Doug Ducey has signed into law a telemedicine bill that improves payer coverage for telehealth and adds store-and-forward and remote patient monitoring platforms to the list of approved services.

Source: ThinkStock

By Eric Wicklund

f t in e p

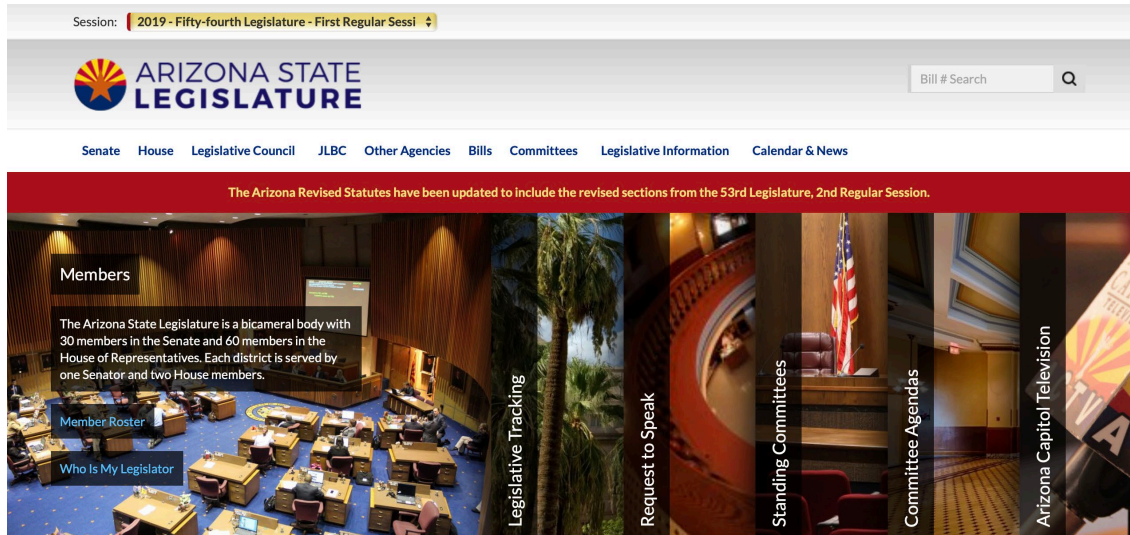
Other Policy Issues to Explore

- Broadband issues
- Telehealth vs. Telemedicine
- Telehealth Modalities
 - Real-time
 - Store-and-forward
 - Remote patient monitoring
- Mobile health (only defined in Hawaii)
- Reimbursement
- Licensure
- Practice Standards/Informed Consent



The AzLeg Website...

- Easily accessible
- 24/7
- Live and archived



FEATURED ITEMS

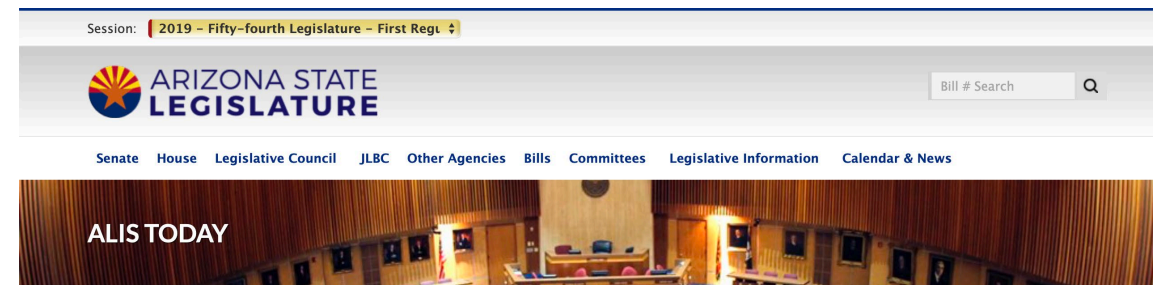
2019 Capitol Lawn Information

LEGISLATIVE EVENTS

Monday 03/11	Tuesday 03/12	Wednesday 03/13	Thursday 03/14	Friday 03/15

Open <https://www.azleg.gov/MemberRoster> in a new tab behind the current one

- <https://www.azleg.gov>



Agendas

- House Agendas
 - Senate Agendas
 - JLBC / Interim Agendas
 - Show Cancelled/Not Meeting Agendas
- * Denotes the agenda or calendar has been modified.

Floor Action

- House Floor Calendars
- Senate Floor Calendars

Miscellaneous

- Capitol Events

Navigation: < > TODAY

March 14, 2019

MONTH WEEK DAY

Thursday

Association for the Chronically Mentally Ill
Capitol Farmer's Market
Donate Life Day
9:00a House Government (1R)
9:00a House Health & Human Services (1R)
9:00a House Land & Agriculture (1R)
9:00a Senate Judiciary (1R)
9:00a Senate Water and Agriculture (1R)
10:00a Senate Commerce (1R)

Request to speak...Two views....

2019 - Fifty-fourth Legislature - First Regular Session

Bill Number: SB1009

Short Title: tobacco products; electronic smoking devices

Sponsors: Carter (Prime)

Overview | **Bill Status** | Videos | Sponsor/Keyword/Sections | RTS Current Bill Positions | Documents

Bill History for SB1009

Short Title: tobacco products; electronic smoking devices
Senate First Read: 01/14/2019

Assigned Date	Committee	Report Date	Action	Vote
01/14/19	HHS	01/23/19	DP	8-0-0-0
01/14/19	RULES	01/28/19	PFC	0-0-0-0

Senate Second Read: 01/15/2019

Consent Calendar: 01/28/2019, 1:10 pm Object: Yes

Senate Democrat Caucus: 01/29/2019 Yes

Senate Republican Caucus: 01/29/2019 Yes

Date	Ayes	Nays	NV	Exc	Vac	Action
02/11/2019	0	0	0	0	0	DPA

Amendment(s): Carter fir amend (ref Bill) adopted

Date	Ayes	Nays	NV	Exc	Vac	Emer	Amend	RFE	RFEIR	2/3 Vote	Action
02/12/2019	30	0	0	0	0		Amended				Passed

Transmit to House: 02/12/2019

Spk	Position	Name	Representing	Comments	Status
No	Against	Jason Bezozo	BANNER HEALTH ARIZONA		
No	For	Terrance Traylor	Self		
No	Against	Tara Plese	AZ Alliance For Community Health Centers		
No	Against	Susan Cannata	Arizona Chapter Of The American Academy Of Pediatrics		
No	Against	Jaime Molera	MERCY CARE		
No	Against	Pat VanMaanen	Self		
No	Against	Greg Ensell	AZ HOSPITAL & HEALTHCARE ASSN		
No	Against	Kelly Fine	AZ PHARMACY ASSOCIATION		
No	Against	Kathi Beranek	Blue Cross Blue Shield Of Arizona		
If Necessary	Against	Joan Koerber-Walker	Self		
No	Against	Judith Simons	Self	Unnecessary burden on medical ...	
Yes	Against	Steve Barday	Arizona Medical Association, Arizona Osteopathic Medical Association, MAYO CLINIC ARIZONA	Adding Mayo Clinic as opposed to ...	
No	Against	Alicia Klassen	Self	Please trust our state's physicians...	
No	Against	Laura Dearing	The Arizona Academy Of Family Physicians		
No	Against	Michael Do, MD	Self	I'm a pediatrician and am this bill...	
Yes	For	Annette Hardman	Self	Why have another vaccine if we are ...	
If Necessary	Against	Mary Ellen Rimsza MD	Self	This bill encourages parents to ...	
If Necessary	Against	Pete Wertheim	Arizona Osteopathic Medical Association		
No	Against	Erika Mach	Self		
If Necessary	Against	Lisa Soltani	Self	As a primary care physician for ...	

Comparing 501(c)(3) VS. 501(c)(4) Exempt Status

501(c)(3)	501(c)(4)
Organizational Requirement/Test: <u>limits purposes</u> and limits asset distribution if 501(c)(3) dissolves	Less stringent
Must serve <u>public</u> purposes	"Community" purposes; narrower scope than 501(c)(3) is OK
Assets must be <u>dedicated</u> to charitable purposes	No requirement to dedicate assets
Social/recreational activities must be <u>insubstantial</u>	Social/recreational activities must be less than "primary"
<u>Legislative activity</u> must be <u>insubstantial</u> ; excess lobbying may lead to penalties/revocation of exempt status	No limit on legislative activity if it furthers the exempt purpose
<u>Absolute prohibition</u> against <u>political activity</u>	<u>Political activity permitted</u> , but taxed
Donations <u>deductible</u> under §170 by donors who itemize charitable contributions on tax returns	Donations <u>not deductible</u> under §170; businesses sometimes deduct as promotional expense
Must generate enough public support if public charity status is desired	No public support test under 501(c)(4)
Exempt from Federal income tax unless the 501(c)(3) has unrelated business income	Exempt from Federal income tax unless the organization has unrelated business income
Eligible, low-cost non-profit bulk mailing permit	Not eligible for lowest bulk mail rates

Discussion / Q&A

Arizona Telemedicine Policy Symposium

