

## Government Affairs Update – April 2022

### Legislative Update

#### *Prior Authorization*

[SB 247](#), introduced by Senator Curt VanderWall, was signed into law on Thursday, April 7. This legislation, which was years in the making, would reform the prior authorization process for both medical and pharmaceutical benefits. The legislation sets forth transparency measures and reporting requirements; timelines for decision-making around a prior authorization request; setting parameters around insurance use of clinical review criteria, including the use of peer-reviewed criteria, among other things. It would also include a process whereby insurers could set up a “gold-card” or expedited consideration for certain procedures or treatments.

The Michigan Chapter of the ACC is a member of the Health Can’t Wait coalition and has been actively engaged in these efforts to reform the prior authorization process. Passage of this legislation streamlines unnecessary barriers to accessing care and is an exciting development for physicians, allied health professionals and patients in Michigan.

#### *STEMI Systems of Care*

[Senate Bill 521](#) establishes stroke and STEMI advisory subcommittees under the EMS Coordination Committee to assist the Department of Health and Human Services (DHHS) on the development, implementation, and continuing operation of a statewide system of care for time-sensitive emergencies. As of this writing, the bill is awaiting a floor vote in the Senate. The Executive Office is reviewing the legislation and is considering moving forward with administrative action to establish the advisory subcommittees.

In the Fiscal Year 21-22 budget signed by Governor Gretchen Whitmer, the initiative received a \$3 million appropriation (Sec. 1186) for its implementation.

#### *Proposed Requirements for Radiological Personnel and Machines*

[House Bill 5116](#) would revise requirements for radiological personnel to, among other things, require that any personnel operating radiation machines, except for a licensed health professional, meet the requirement of the American Registry of Radiologic Technologists (ARRT) or any equivalent standards, and has obtained a certification from Department of Labor and Economic Opportunity (LEO).

The bill makes several other changes to the law, including designating LEO as the radiation control agency/radiation machine control agency for the state.

LEO is concerned this bill would have a significant fiscal impact as the bill could create revenue fluctuations as a result of changes to the fee structure.

The House Health Policy Committee held a hearing on the measure on January 27; however, no further action is planned at this time.

## **Regulatory Update**

### *Protection of Youth from Nicotine Product Addiction*

[Ruleset 2019-107 HS](#), supported by ACC, saw a public hearing in October 2020. The rules were submitted to the Joint Committee on Administrative Rules (JCAR) but were withdrawn in October 2021. The Michigan Department of Health and Human Services announced the withdrawal stating that they plan to work with the legislature on addressing taxing and licensing for e-cigarettes instead.

The bills that will be worked on include:

- [Senate Bill 572](#) provides excise tax on electronic smoking devices.
- [Senate Bill 573](#) prohibits certain marketing and advertising strategies in the sale of vapor products.
- [Senate Bill 574](#) provides compliance checks for the sale of tobacco products, vapor products, or alternative nicotine products to minors. The bill also prescribes penalties.
- [Senate Bill 575](#) provides licensing of persons that manufacture or sell tobacco, vapor, or alternative nicotine products.
- [Senate Bill 576](#) modifies the age of penal code provisions for selling or distributing tobacco products by mail or vending machines.
- [Senate Bill 577](#) modifies the age of majority act.

Many health care groups are most concerned about Senate Bill 575, which includes language to allow a manufacturer or company that has applied to the FDA for a new Premarket Tobacco Product Application (PMTA) to have that product protected and exempt from state level regulation. We are awaiting next steps from the bill sponsors.

*RWC Advocacy is proud to be part of your advocacy team. Thank you!*