

LEGISLATIVE UPDATE

By

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END of SESSION

Today was to be the adjournment date for the spring session. This afternoon, **Speaker of the House Madigan announced that the House will be in continuous session throughout the summer.** The next session day will be this Thursday, June 4. There is no word yet on what the Senate intends to do. At this moment, it appears that Illinois will not have a final budget today. There is more information on the budget below. A schedule for the Fall Veto Session has yet to be distributed and probably will not be finalized until later this summer.

Below please find a highlight of the major bills IOMS was directly involved in this year. AT this end of this report is a complete listing of all of the bills we followed and will continue to follow until this General Assembly finishes their work.

Mandated Hepatitis C Screening Legislation Passes -- Senate Bill 661 [Enrolled](#) (Sen. Mulroe, D-Chicago/Rep. McAuffie, R/Chicago) passed both the Senate and House. The bill mandates that physicians must offer to test everyone born between 1945 and 1965. Despite strong opposition by IOMS, ISMS, and IAFP, legislators voted on highly emotionally charged testimony from legislators who have lost loved ones to Hep-C. Providers presented data that screenings ARE offered and a mandate was not needed. In fact, the number of reported cases of Hepatitis C increased from 6855 in 2013 to a total of 8863 in 2014 (a 29%). This could not have happened without an increase in screening/testing by physicians and other health professionals. The bill will be sent to the Governor. IDPH was neutral on the bill so the Governor could sign this bill into law.

Comprehensive Opioid Legislation-- House Bill 1 [Engrossed](#) (Leader Rep. Lang, D-Skokie/Senator Kotowski, D-Park Ridge) passed the House and the Senate. As the most comprehensive legislation on opioids to date, the bill was negotiated throughout the legislative session to reflect collaboration and agreement among a wide array of parties. Contact me if you are interested in the details of this legislation that will now be sent to the Governor for his consideration. IOMS was a part of the negotiations on this bill and in the end supported the final agreement.

Nurse Collaboration – House Bill 421 [Enrolled](#) (Feigenholtz, D-Chicago/Sen. Steans, D-Chicago) passed both chambers. This bill updates the APN practice act among other provisions agreed upon with physicians and APNs. This bill does not prevent a physician from including any restrictions on practice or requirements for communication within the collaborative agreement. This bill heads to the Governor. IOMS was part of some of the negotiations on this bill.

Health Care Right of Conscience Act– Senate Bill 1564 [Engrossed](#) (Sen. Biss, D-Evanston/Rep. Gabel, D-Evanston) provides that health care providers can assert religious objections to providing care and information if they have in place protocols designed to ensure that a patient gets the information needed to make an informed medical decision and to obtain needed care. The bill passed the Senate and is on 3rd Reading in the House. As this is being written final action on this bill has yet to take place.

Certificate of Religious Exemption – Senate Bill 1410 [Enrolled](#) (Sen. Mulroe, D-Chicago/Gabel, D-Evanston) makes changes in the existing process by detailing the grounds for objection by the parent or guardian and the specific immunizations and/or examinations to which they object. The bill requires parents or legal guardians to submit the certificate to their local school authority, prior to the dates of entering kindergarten, sixth grade, and ninth grade (instead of annually), for each child for which they are requesting an exemption. The bill passed both chambers and IOMS has signed onto a letter with other medical organizations to urge the Governor to sign this important legislation.

Budget Implementation Bill on Medicaid Senate Bill 788 [Engrossed](#) (Sen. Steans, D-Chicago) This is one of several pieces of legislation that would implement the FY2016 budget. The bill passed the Senate and House. It will be sent to the Governor. IOMS monitored this legislation. It is expected to reduce costs for the state. Some of the key provisions of the bill include:

- Lowers Medicaid rates by 2.25% for FY16 for most Medicaid providers which mean they are extending the cuts enacted a few weeks ago.
- Requires HFS to continue to guarantee that ACEs (accountable care entities) get their per-member, per month (PMPM) fees paid for a minimum 18 months.
- Requires HFS to continue to pay CCEs (care coordination entities) care coordination rates at the 2015 level.
- HFS must make available a managed care policy manual to help patients and providers to better navigate the system.
- Creates a working group to potentially develop a revised section 1115 “research and demonstration project waiver.”
- In order to root out fraud, waste, and abuse, “The Office of Inspector General must realign its resources toward activities with the greatest potential to reduce or avoid unnecessary, wasteful, or fraudulent expenditures.”

Right to Try. House Bill 1335 [Enrolled](#) (Harris, D-Chicago/Connelly, R-Lisle) The bill provides that an eligible patient with a terminal illness who has considered all other treatment options approved by the USDA may acquire from a manufacturer an investigational drug, biological product, or device that has successfully completed Phase I of a clinical trial, but has not been approved for general use by the United States Food and Drug Administration. This bill passed both houses and will be sent to the Governor for his consideration. IOMS monitored this legislation.

Naturopathic Physician Licensing Senate Bill 1601 [Full Text](#) (Martinez, D-Chicago) This bill would license naturopathic physicians in Illinois. Each year this bill is introduced and often receives little attention. This year there was a hearing on this proposal and the bill was passed out of the Senate Licensing Committee with the understanding that further negotiations would take place. The bill was later returned to the Committee on Assignments in the Senate and no further discussions took place. IOMS opposed this legislation.

Home Birth Safety Act House Bill 424 [Full Text](#) (Rep. Morrison, R-Palatine) The bill creates the Home Birth Safety Act. It provides for the licensure of midwives by the Department of Financial and Professional Regulation. Creates the Illinois Midwifery Board. The bill was assigned to committee but did not have a hearing and so was returned to the Committee on Rules. It received no further consideration. IOMS opposed this legislation.

Physician Licensing The Illinois Medical Licensing Act expires on December 31, 2015. No action was taken on this act during the spring session. We will be looking for legislators to approve its extension during a special session or the fall veto session. Unfortunately this has become an annual ritual rather than action taken every ten years which is how it is done for all other licensed medical professions.

The Budget:

The Illinois General Assembly approved the Democrats' \$36 billion budget but this does not indicate when and if they will send it to the Governor for his consideration. After the passage of all bills, the majority party has 30 days to send the bill to the Governor. If the Democrats wait for 30 days, this about the same time the new fiscal year is to begin on July 1. Many believe, as the Governor has indicated, that he will veto this budget and this could really negatively impact state supported services and programs (and state employees).

For this reason, Senate President John Cullerton (D/Chicago) used a parliamentary "motion to reconsider the vote" on the nine appropriation bills that make up most of the budget. This procedure keeps the 30-day clock from starting until after the motion is removed. It also keeps us all wondering if and when with the Democrats send the budget to the Governor, it and when there will be an agreement and what will the Governor do?

Below are the budget bills. If you want additional information on any of them, please do not hesitate to contact me at Betsy@cook-witter.com

General services

- [House Bill 4158 \(House Floor Amendment 1\)](#) passed [in the House](#) and [in the Senate](#).
- [HB 4159 \(HFA 1\)](#) passed [in the House](#) and [in the Senate](#).
- [HB 4160 \(HFA 1\)](#) passed [in the House](#) and [in the Senate](#).
- [Senate Bill 2034 \(Senate Floor Amendment 1\)](#) passed [in the Senate](#) and [in the House](#).
- [SB 2035 \(SFA 1\)](#) passed [in the Senate](#) and [in the House](#).
- [SB 2038 \(SFA 5\)](#) passed [in the Senate and the House](#). The legislation calls for paying state workers back wages out of the current fiscal year's budget. In 2012, then-Gov. Pat Quinn froze

wages for state workers but a court ruled that the state must pay the raises, which were part of a contract. Employees at some agencies have been paid, but others are still waiting.

Higher education

- [HB 4146 \(HFA 1\)](#) passed [in the House](#) and [in the Senate](#).
- [HB 4147 \(HFA 1\)](#) passed [in the House](#) and [in the Senate](#).
- [HB 4148 \(HFA 1\)](#) passed [in the House](#) and [in the Senate](#).
- [SB 2029 \(SFA 1\)](#) passed [in the Senate](#) and [in the House](#).
- [SB 2030 \(SFA 1\)](#) passed [in the Senate](#) and [in the House](#).

Human services

- [HB 4165 \(HFA 1\)](#) passed [in the House](#) and [in the Senate](#).
- [SB 2036 \(SFA 1\)](#) passed [in the Senate](#) and [in the House](#).
- [SB 2037 \(SFA 1\)](#) passed [in the Senate](#) and [in the House](#).

K-12 education

- [HB 3763 \(SFA 1\)](#) passed [in the Senate](#) and [in the House](#).
- [HB 4151 \(HFA 1\)](#) passed [in the House](#) and [in the Senate](#).

Public safety

- [HB 4153 \(HFA 1\)](#) passed [in the House](#) and [in the Senate](#).
- [HB 4154 \(HFA 1\)](#) passed [in the House](#) and [in the Senate](#).
- [SB 2031 \(SFA 1\)](#) passed [in the Senate](#) and [in the House](#).
- [SB 2032 \(SFA 1\)](#) passed [in the Senate](#) and [in the House](#).
- [SB 2033 \(SFA 1\)](#) passed [in the Senate](#) and [in the House](#).

Budget implementation legislation

- [SB 51 \(HFA 2\)](#) passed [in the House](#) and [in the Senate](#).
- [SB 274 \(HFA 2\)](#) passed [in the House](#) and [in the Senate](#).
- [SB 788 \(HFA 3 and 4\)](#) The legislation includes a 2.25 percent Medicaid reimbursement rate cut to providers. The bill passed [in the House](#) and [in the Senate](#).
- [SB 842 \(HFA 1\)](#) passed [in the House](#) and [in the Senate](#).
- [SB 1354 \(HFA 1\)](#) passed [in the House](#) and [in the Senate](#).

Capital construction

- [HB 4166 \(HFA 1\)](#) passed [in the House](#) and [in the Senate](#). Most of the spending is being reauthorized for ongoing projects, according to the sponsors. [The Associated Press reported](#) \$800 million for drinking water infrastructure projects and \$1.8 billion for other projects are among the new spending items in the bill.