



State Health (Care) Policy Trends

National Health Council
Federal-State Policy Roundtable

Kelly Hughes, Associate Director, Health Program

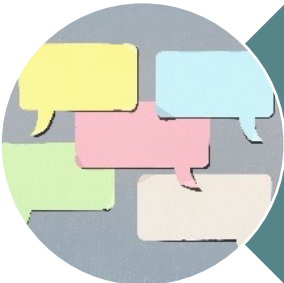
March 7, 2023



About NCSL and State Legislatures



Health Care Policy Trends in State Legislatures



NCSL Resources and Discussion



Strengthening the Legislative Institution

How NCSL Strengthens Legislatures



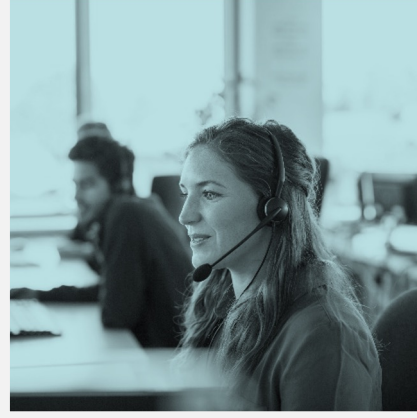
Policy Research

NCSL provides trusted, nonpartisan policy research and analysis



Connections

NCSL links legislators and staff with each other and with experts



Training

NCSL delivers training tailored specifically for legislators and staff



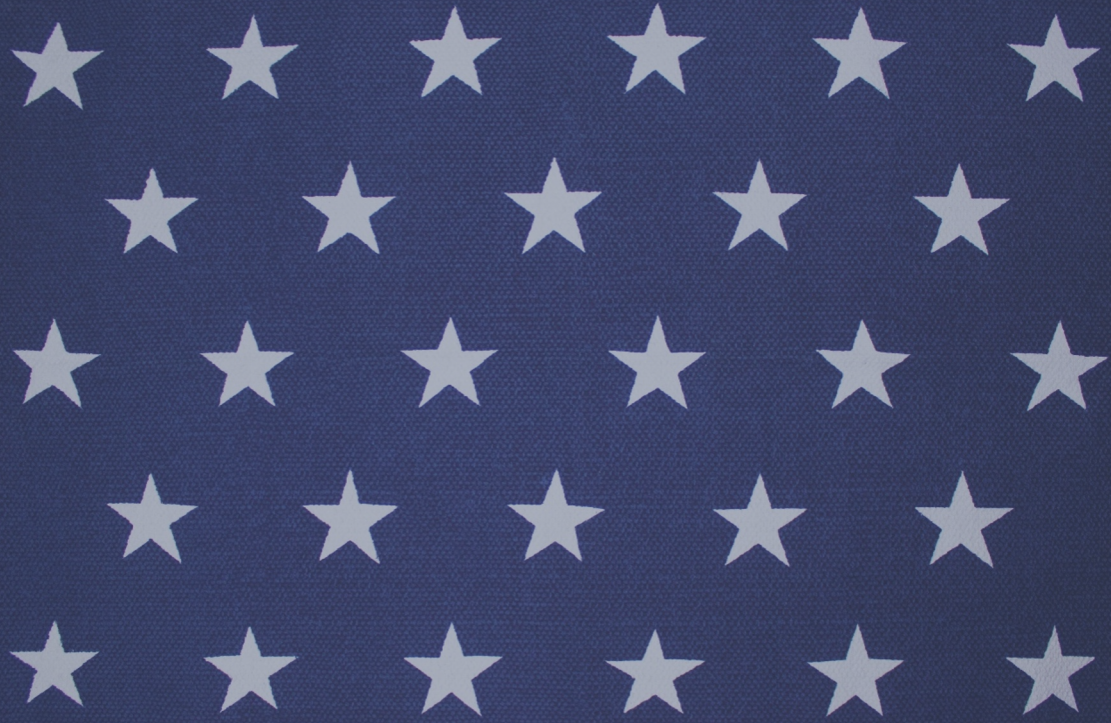
State Voice in D.C.

NCSL represents and advocates on behalf of states on Capitol Hill



Meetings

NCSL meetings facilitate information exchange and policy discussions



How many state legislators are there in the United States?

- A. 400
- B. 3,892
- C. 7,386
- D. 9,575

Answer: C. 7,386



1,723 are brand new in 2023

Photo: Maine Legislature opens session

State Health Policy Issues



Health care access
and workforce



Health costs,
including
prescription drugs



Medicaid



Population health,
including public
health



Behavioral health



Access to Care Components:

1. Coverage
2. Services
3. Timeliness
4. Workforce

Access to Care

“The timely use of personal health services to achieve the best health outcomes.” (AHRQ)

Health Workforce: Strategies



Training and Certification

- Education requirements
- Continuing education



Licensure

- Professionalization
- Interstate compacts



Scope of Practice

- Practice authority
- Prescriptive authority



Telehealth

- Broadband access
- Reimbursement



Recruitment & Retention

- Loan repayment and forgiveness
- Tax incentives
- Career pathways

NCSL RESOURCE!
[Scope of Practice Policy Website](#)

Health Workforce: Professions

Primary care:

- Physician
- Nurse practitioner
- Physician assistant

COMING SOON!
Career Pathways
Report

Nursing:

- Certified nursing assistant (CNAs)
- Licensed practical nurse
- Registered nurse
- Advanced practice registered nurse

NCSL RESOURCE!
[Nursing Shortage Brief](#)

Direct care:

- Certified nursing assistant
- Home health aide
- Personal care assistant

NCSL RESOURCE!
[Direct Care Workforce Brief](#)

Behavioral health:

- Psychiatrist
- Psychologist
- Psychiatric NP
- Psychiatric PA
- Professional counselor
- Marriage and family therapist
- Peer support specialist
- Addiction counselor

NCSL RESOURCE!
[Behavioral Health Workforce Report](#)

Maternal health:

- Doula
- Certified nurse midwife
- Certified midwife
- Certified professional midwife
- Traditional midwife

COMING SOON!
Certified Nurse
Midwives on SOP

Telehealth Trends

○ Cross-State Licensure

- Interstate compacts
 - Eight active compacts (pictured right)
 - For example: Wyoming [SB 26](#)
- Telehealth-specific licensing

Interstate Medical Licensure Compact

Nurse Licensure Compact

Physical Therapy Compact

Psychology Interjurisdictional Compact

Audiologist and Speech-Language Pathologists Compact

EMS Personnel Licensure Interstate Compact

Occupational Therapy Compact

Counseling Compact

Telehealth Trends (continued)

○ Making Temporary Flexibilities Permanent





- Policies establishing payment parity, adding specific providers, modifying provider prescribing rules, and clarifying modalities for reimbursement.
- For example: Connecticut [HB 6562](#)

NCSL RESOURCES!

- [The Telehealth Explainer Series](#)
- [Health Cost, Coverage and Delivery State Legislation](#)

○ Reimbursement

- Medicaid: 17 states reimburse for all four modalities through Medicaid.
- Private Payer: 43 states and D.C. have telehealth private payer laws.

Medicaid Reimbursement		# of States
	Live Video	50 + D.C.
	Store-and-Forward	25
	Remote Patient Monitoring	34
	Audio-Only	34 + D.C.



TRIVIA TIME!

Approximately how many legislative staff are there during session?

A.

7,386

B.

30,000

C.

40,000

D.

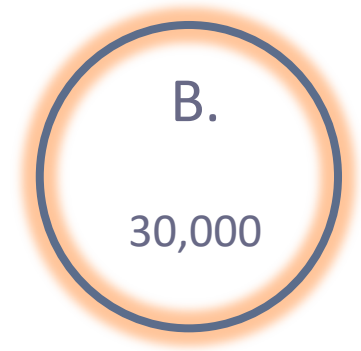
50,000



TRIVIA TIME!

Approximately how many legislative staff are there during session?

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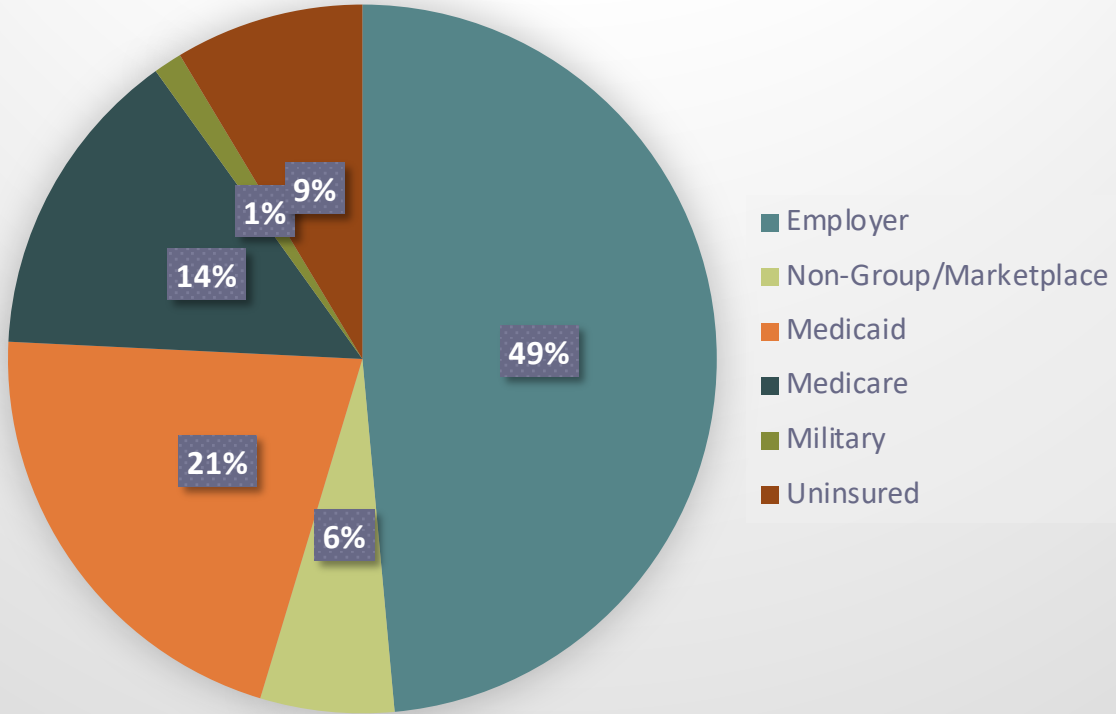
C.
40,000

D.
50,000

Health Care Costs and Coverage

- Health System Concentration and Consolidation
- Surprise Billing and Medical Debt
- Prescription Drugs
- Medicaid
- Bolstering Enrollment in the Individual Marketplace

Health Insurance Coverage of the Total U.S. Population

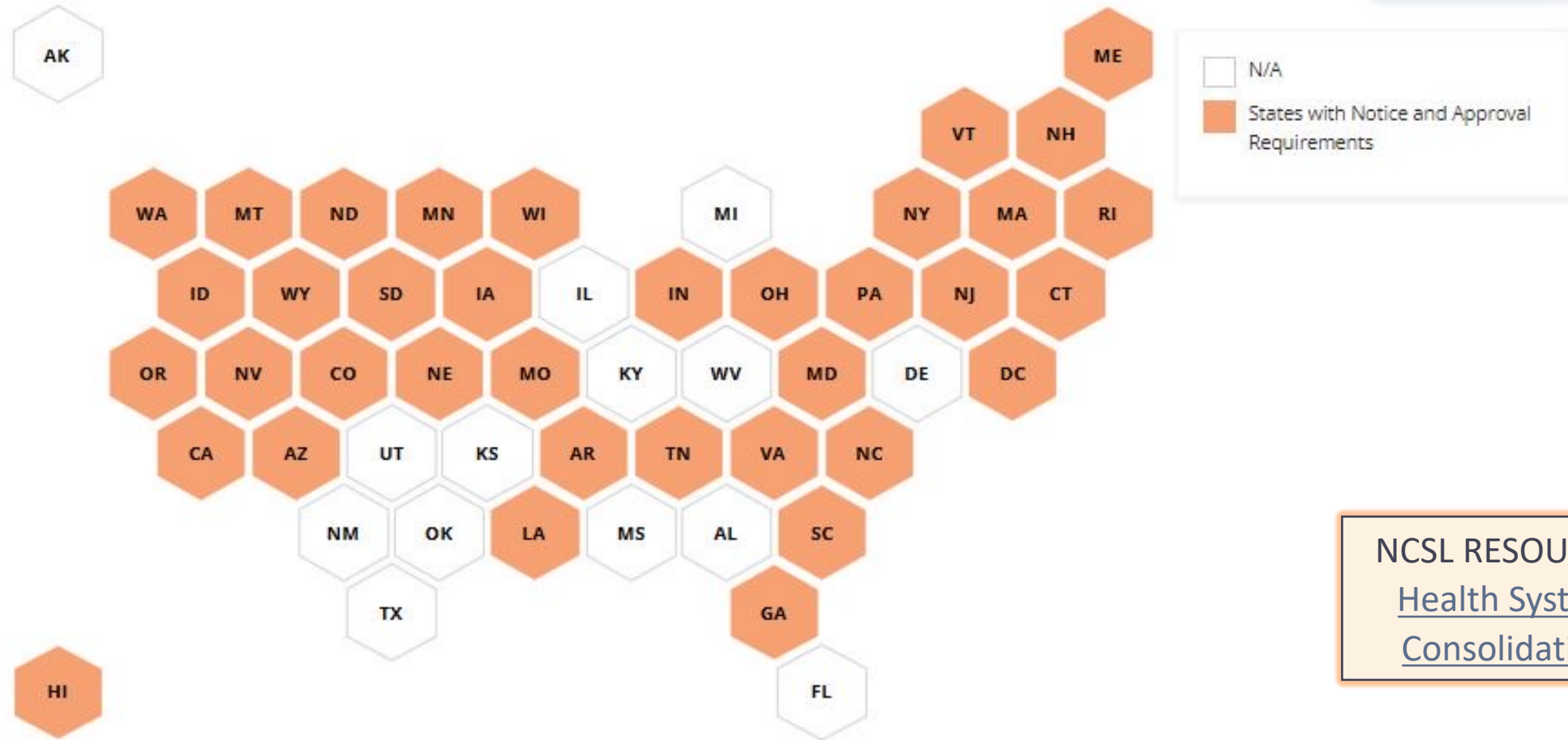


Source: Kaiser Family Foundation, 2021



Health System Consolidation and Concentration

States with Transaction Notice and Approval Requirements (2022)



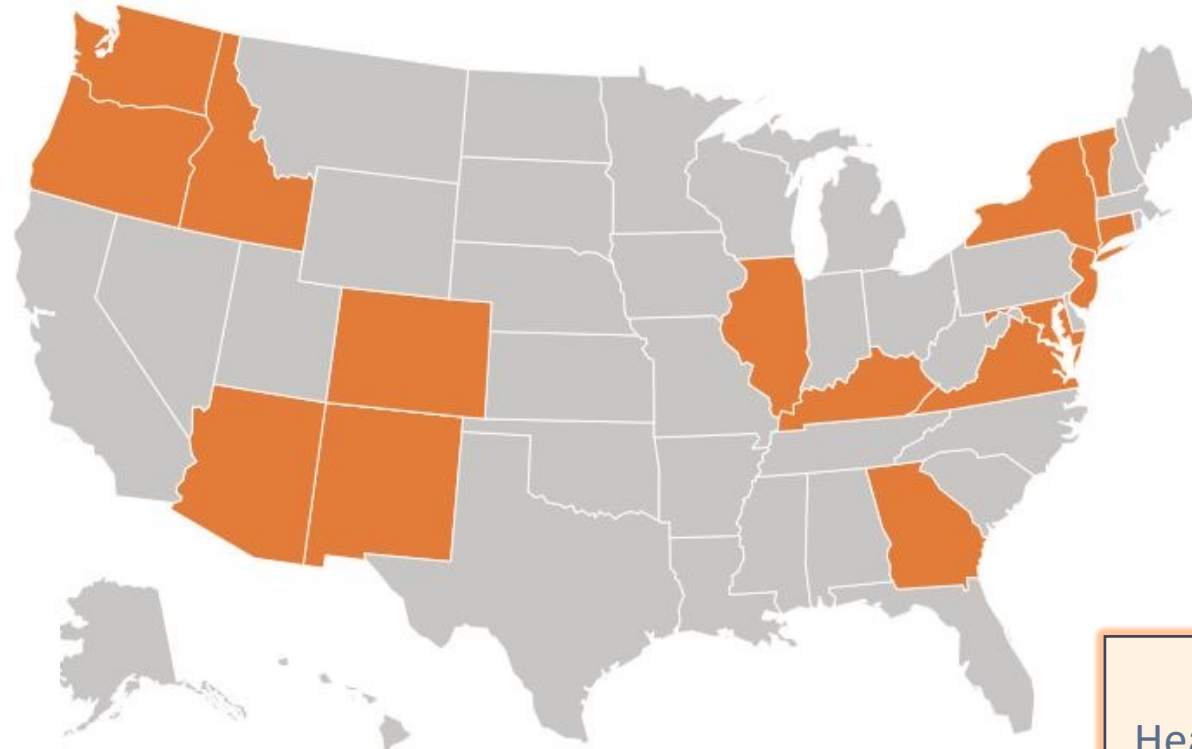
NCSL RESOURCE!
[Health System Consolidation](#)

Surprise Billing and Medical Debt

State Legislation Related to Surprise Billing and Medical Debt (2022)

Bills
22

States
15



NCSL RESOURCE!
[Health Cost, Coverage and Delivery State Legislation](#)

Prescription Drug Reforms

Pharmacy Benefit Managers (PBMs)

- Requiring licensure/registration
- Requirements for pharmacy reimbursement/audits
- Patient choice of pharmacy/network adequacy/anti-steering
- Spread pricing prohibitions

Insulin

- Copayment limitations
- Coverage for supplies
- State-run patient assistance programs

NCSL RESOURCES!

- [NCSL Prescription Drug Policy Resource Center](#)
- [Prescription Drug State Bill Tracking Database](#)

TRIVIA TIME!

How many state capitols are named for U.S. Presidents?

- A. 2
- B. 3
- C. 4
- D. 5



TRIVIA TIME!

How many state capitols are named for U.S. Presidents?

A. 2

B. 3

C. 4

D. 5

1. Jackson, Mississippi
2. Jefferson City, Missouri
3. Lincoln, Nebraska
4. Madison, Wisconsin



Medicaid Legislative Trends

Unwinding

- End of the public health emergency and federal flexibilities
- End of continuous coverage

Maternal Health

- 12-month postpartum coverage extension
- Doula coverage
- Long-acting reversible contraception pay

Social Drivers of Health

Workforce

- Direct care workforce, EMS, etc.

Child Health

- Continuous coverage
- School-based services

Behavioral Health/Substance Use Disorder

- Certified Community Behavioral Health Clinics
- Pre-release services for incarcerated people
- Parity, peer support, Other

Bolstering Enrollment in the Individual Marketplace

State Action on 1332 Waivers (as of 2021)

1

Approved Waiver

Federally approved 1332 waiver

2

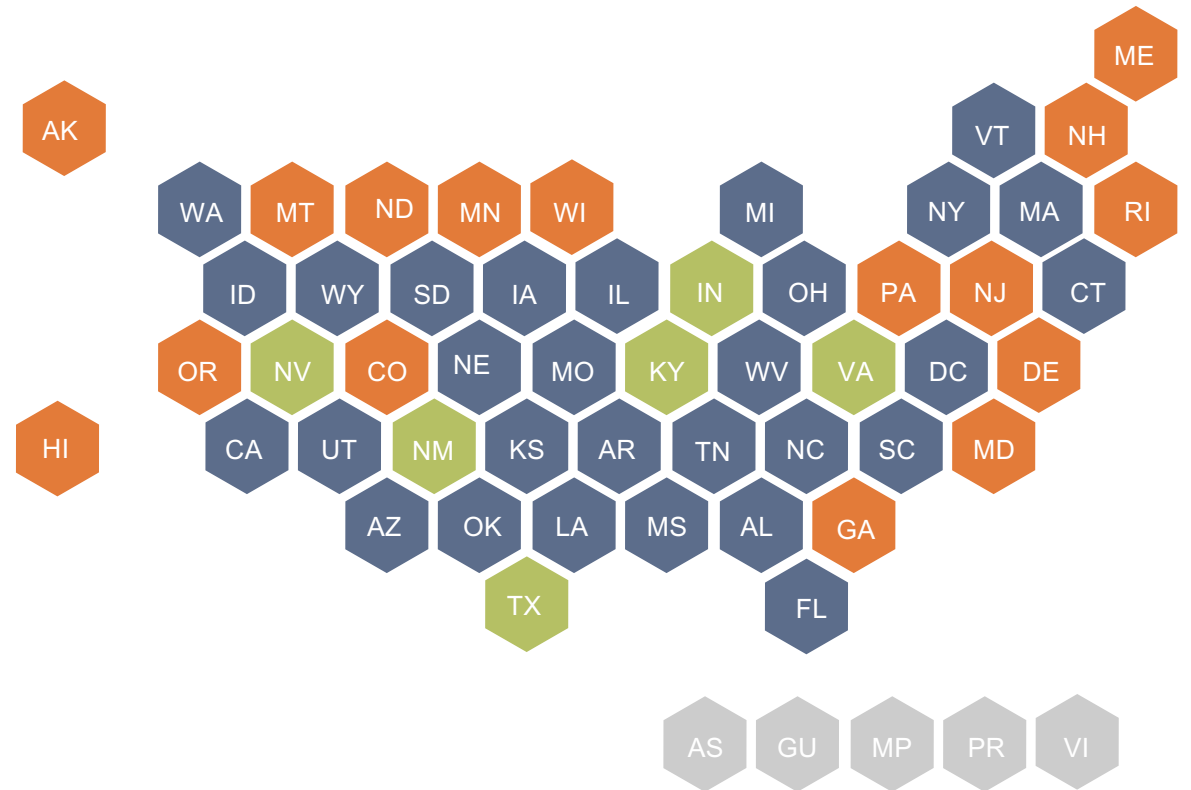
Enacted Legislation

Enacted legislation authorizing submission of 1332 waiver

3

No Action

No legislation in place



Population Health



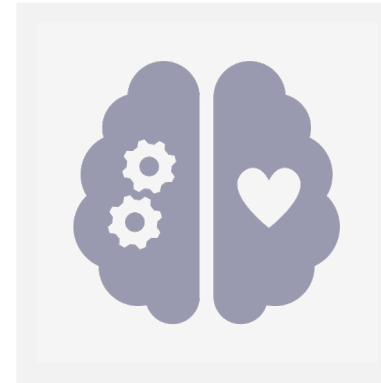
Vaccines



Opioid Crisis
and Fentanyl



Mental and
Behavioral
Health



Adverse
Childhood
Experiences



Maternal and
Child Health

NCSL RESOURCES!

- [State Public Health Legislation Database](#)
- [Injury Prevention Legislation Database](#)
- [Substance Use Disorder \(SUD\) Treatment Database](#)
- [Behavioral Health Policy Series](#)
- [Maternal and Child Health Database](#)

For Reference

Access to Care

- [Scope of Practice Policy Website](#)
- [Nursing Shortage Brief](#)
- [Direct Care Workforce Brief](#)
- [Behavioral Health Workforce Report](#)
- [The Telehealth Explainer Series](#)

Costs and Coverage

- [Health System Consolidation](#)
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Population Health

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Thank You!