

SJR 35: Health Care Reform

Review of Study Activities and Proposals

Prepared for the Children, Families, Health, and Human Services Interim Committee
June 2010

Background

The Children, Families, Health, and Human Services Interim Committee began the Senate Joint Resolution 35 study of health care in the summer of 2009 as Congress was wading into the debate about how best to reform the nation's health insurance and health care systems. At the time, many national observers were predicting quick action by Congress on legislation that was likely to require many changes at the state level. As a result, the Children and Families Committee adopted a study plan that focused the majority of the Committee's study time on:

- monitoring health care changes at the federal level;
- reviewing health care reforms proposed by other groups; and
- evaluating Montana's primary care system and ways to strengthen it.

As the Committee continued its study into the fall of 2009, it became clear that quick congressional action was unlikely — a development that made it more difficult for both the Committee, state agencies, and Montana-based health care groups to predict what state action might be needed and to develop proposals for action at the state level.

SJR 35 Study Activities

The following table lists the study activities identified in SJR 35 and by Committee members when they approved the SJR 35 study plan in June 2009. It also contains a corresponding list of presentations and materials provided to the Committee for each study activity. Items in bold-faced type indicate a formal committee action related to a study activity.

SJR 35 Study Plan Activity	Committee Activity/Action
Monitor and evaluate health care changes at the federal level	<ul style="list-style-type: none"> • Staff Report: <i>Comparison of Selected Elements of Federal Health Care Reform Efforts</i> (September 2009, December 2009, April 2010) • Staff Report: <i>State Reaction to Federal Health Reform</i> (April 2010) • Staff Report: <i>A Look at Health Insurance Exchanges</i> (November 2009) • Presentation by NCSL Health Policy Director Joy Johnson Wilson (November 2009) • Stakeholder presentations on health insurance exchanges, high-risk pools, insurance reforms, and Medicaid changes (November 2009, April 2010)

SJR 35 Study Plan Activity	Committee Activity/Action
Compile information on Montana's uninsured and underinsured populations and high-risk pool members	<ul style="list-style-type: none"> • Staff report: <i>The Insured and Uninsured in Montana</i> (September 2009)
Compile information on the publicly insured population	<ul style="list-style-type: none"> • Staff report: <i>The Insured and Uninsured in Montana</i> (September 2009) • Stakeholder presentations on Medicaid, Insure Montana, and the Montana Comprehensive Health Association Plan (September 2009)
Compile information on the number and location of health care providers	<ul style="list-style-type: none"> • Staff Report: <i>Primary Care Issues and Health Reform</i> (September 2009) • Stakeholder Report: <i>Montana's Primary Care Workforce</i> (August 2009)
Determine ways to strengthen the primary care system	<ul style="list-style-type: none"> • Stakeholder presentations by physicians, the Montana Office of Rural Health, Montana Hospital Association, Montana Medical Association, Montana Primary Care Association, Montana Pharmacy Association, Montana HealthCare Forum, Montana Healthcare Workforce Advisory Council, and Department of Public Health and Human Services (September 2009, January 2010, April 2010) • Committee Letter to Congress: Medicare reimbursement system • Committee Letter to the Department of Labor and Industry: Data collection on health care licensees for workforce planning • Committee Legislation: Remove licensing barriers for physicians
Evaluate medical education opportunities and ways to improve them	<ul style="list-style-type: none"> • Staff Report: <i>Montana's Medical Education, Training, and Incentive Programs</i> (January 2010) • Stakeholder presentations by the Montana University System and Montana Family Residency Program (January 2010) • Committee Letter to Congress: Medicare funding for medical residency slots
Monitor use of state and federal funds for health information technology and monitor technology related to claims processing	<ul style="list-style-type: none"> • Staff Report: <i>The ABCs of HIT</i> (November 2009) • Stakeholder presentations by HealthShare Montana and DPHHS (November 2009)
Monitor efforts involving disease prevention and wellness promotion	<ul style="list-style-type: none"> • Stakeholder presentations on state and local public health agency efforts (January 2010) • Stakeholder presentations on issues related to childhood health and obesity (April 2010) • Committee Letter to Board of Public Education: Encourage schools to take an active role in health promotion from kindergarten through 12th grade

SJR 35 Study Plan Activity	Committee Activity/Action
Consider health care reforms proposed by other groups	<ul style="list-style-type: none"> • Presentations by Montana HealthCare Forum members (September 2009, April 2010, June 2010) • Presentation of other health advocacy group perspectives on health reform (September 2009)
Make recommendations on ways to reduce the costs of health care	<ul style="list-style-type: none"> • Staff Report: <i>Medical Malpractice--Montana's Approach to Limiting Liability</i> (January 2010) • Staff Report: <i>Medical Malpractice Insurance Data for Montana</i> (April 2010) • Staff Report: <i>Defensive Medicine -- Recent Study Results</i> (April 2010) • Staff Report: <i>Federal Tort Claims Act and Community Health Centers</i> (April 2010) • Stakeholder presentation on malpractice insurer views of Montana's medical malpractice laws (April 2010) • Stakeholder presentations on defensive medicine issues (April and June 2010)

Additional Ideas from Stakeholders

In the past year, many speakers have presented proposals for Committee consideration. The table below groups those suggestions by topic area, for Committee review and potential action. The table also includes space for ideas from Committee members.

Topic Area	Committee Activity/Action
Federal health care legislation	<ul style="list-style-type: none"> • Draft legislation establishing a state health insurance exchange (State Insurance Commissioner expected to propose legislation) • Draft legislation allowing the State Insurance Commissioner to deny rate increases after review (State Insurance Commissioner expected to propose legislation) • Change the statutory makeup of the Montana Comprehensive Health Association Plan board to add more public members • Additional Committee ideas?
Health Care Costs	<ul style="list-style-type: none"> • Consider "safe harbor" legislation for physicians • Additional Committee ideas?

Topic Area	Committee Activity/Action
Primary Care System	<ul style="list-style-type: none"> • Increase funding for WICHE and/or WWAMI slots • Require WICHE or WWAMI students to return to state to practice for a certain period of time • Require data collection by licensing boards (rather than simply request via letter) • Adjust Medicaid rates to allow higher payments to primary care physicians • Expand loan repayment program for mid-level and allied health professionals • Require loan repayment recipients to serve a certain number of Medicaid patients • Additional Committee ideas?
Health care proposals by other groups	<ul style="list-style-type: none"> • Determine whether additional action is needed on HealthCare Forum or other proposals • Additional Committee ideas?
Disease Prevention and Health Promotion	<ul style="list-style-type: none"> • Consider legislation relating to childhood obesity, such as Body Mass Index testing in the schools • Additional Committee ideas?

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