MAKING IMPACTFUL PUBLIC HEALTH POLICY CHANGE: THE LEGISLATIVE PROCESS FROM INSIDE THE MARYLAND GENERAL ASSEMBLY

Presented by:
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CURRENT POLITICAL CLIMATE

- Many policies advocated by public health are more accepted by Democratic principles
- Example: soda tax, environmental regulation
- Trump Administration prioritizes economic revitalization

STATE’S ROLE IN PUBLIC HEALTH POLICY

- Can set health priorities where they are absent in federal legislation
- Session runs January to April, but a year-round job for legislators
BACKGROUND

Office of Delegate Clarence Lam, MD, MPH

- One of three physicians in the House of Delegates
- Third year in office

2016 Legislative Session

- Served on Environment and Transportation Committee
- Proposed more bills than almost any other Delegate!
- Following through on last year’s bills

2017 Legislative Session

- Reassigned to Appropriations Committee
- Reviews the Governor’s budget
1) **Budgeting**
   - Challenging due to my own limited finance background
   - Also a new assignment for Delegate Lam
   - Not discussed in detail

2) **Oversight**
   - State Lawsuit against NMS Healthcare Management
   - Accused of “dumping” patients at facilities incapable of caring for their needs
   - Strategically and aggressively discharging patients for maximum returns on Medicaid reimbursement (fraud)

3) **Legislation**
   - In the House only
   - Complex process
   - Nine bills with primary sponsorship
   - Main focus of this project: Community Health Workers Act, HB1113
RESULTS: OVERSIGHT

NMS Investigation Still Ongoing

- Attorney General initially filed suit against NMS for “dumping” patients at unlicensed facilities, and for Medicaid fraud
- DHMH entered into agreement with NMS allowing them to restart admissions of patients
- The terms of this agreement are concerning to some, including the assignment of “independent monitor”
- NMS has since filed countersuit in federal courts against DHMH for overaggressive enforcement
RESULTS: LEGISLATION

Community Health Workers Act: HB1113

- Definition of a Community Health Worker
  - “A frontline public health worker who is a trusted member of, or has an unusually close understanding of the community served, and serves as a liaison, link, or intermediary between health and social services and the community.”

- Purpose
  - Licensing of community health workers through creation of a Board in order to:
    1. Allow for higher pay to CHWs
    2. Eventually help with reimbursement

- Key considerations
  - Keeping barriers to career low by not mandating certification
  - Allowing individuals with criminal backgrounds to be certified
  - Keeping costs of certification manageable
  - Curriculum and scope of practice
RESULTS: LEGISLATION

CHW Bill was ultimately not passed this session

- Apparent discrepancy between DHMH policy and Maryland Hospital Association requests
- Lateness of MHA coming forward with concerns and changes to the bill

Proposed Solution

- Similar to Certified Nursing Assistants
- Would be allowed to practice, but could only be referred to as “Certified Community Health Worker” if approved by the board

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Bill Title</th>
<th>Status</th>
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<tr>
<td>HB011</td>
<td>Vehicle Laws - Causing Diesel Emissions to Discharge Onto Another - Prohibition</td>
<td>House Returned Passed</td>
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<td>HB0023/SB0341</td>
<td>Vehicle Laws - School Vehicles - Definition</td>
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<td>HB0036/SB0302</td>
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<td>HB0051</td>
<td>Vehicle Laws - Electric Personal Assistive Mobility Device - Definition</td>
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<td>HB0066</td>
<td>Environment - Lead and Mercury Wheel Weights - Prohibited</td>
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<tr>
<td>HB0191</td>
<td>Optometrists and Physicians - Prescriptions for Lenses - Expiration Dates</td>
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<td>HB0216/SB0269</td>
<td>Emergency Veterinary Care - Immunity from Liability</td>
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<tr>
<td>HB0699/SB0301</td>
<td>Real Property - Installation and Use of Electric Vehicle Recharging Equipment</td>
<td>House Committee</td>
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<tr>
<td>HB1113/SB0988</td>
<td>Health Occupations - Maryland Community Health Worker Act</td>
<td>Senate</td>
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Table 1. Bills under primary sponsorship by Delegate Lam for the 2017 Legislative Session
DISCUSSION

- More ways for legislators to address public health than policy alone
- Many priorities competing with public health
  - Evidence can be interwoven with personal narrative
- Need for advocates to understand the policy process
  - Recommended creation of a User Guide to the MGA House of Delegates
  - Helps to set priorities
- Even with the best intentions and strong legislation, unforeseen challenges arise
  - Essential to be flexible
  - Compromise is key
QUESTIONS