Update on State Legislative Activity
October 29, 2014
for NOSORH Annual Meeting
Laura Tobler
Laura.tobler@ncsl.org

2014 Mid-term Elections

- Which states have no legislative elections in 2014?
- How many states will be electing a governor in 2014?
Party Control Shifts 2010
--24 Chambers

Democrat Gains

Republican Gains

Party Control Shifts 2012
--12 Chambers

Democrat Gains

Republican Gains

State Legislatures
Pre-Election 2014

- Republican - 27
- Democrat - 19
- Split - 3
- Nonpartisan
Governor 2014 Elections — Races to Watch

- Toss Up = 5
- Lean Republican = 5
- Lean Democrat = 1
- ★★ Likely and Solid Seats (★ = 14, ★★ = 11)

Final Points
- History points to GOP gains
- Biggest Challenge for GOP is past success
- Chamber Switches may be Low/more change in Governors
- The Republican South
- How many people will turn out to vote?

State Budgets
- What is the fastest growing program area for FY 2015?
State Budget Conditions

- States experienced slow revenue growth in FY 2014.
- Slightly stronger revenue growth is expected in FY 2015.
- Funding for higher education and Medicaid continue to outpace other spending areas.
- States are still talking about tax reform, but acting less.
- Year-end balances are expected to decline in FY 2015.

Areas of Spending Over Budget in FY 2014

- Corrections/Public Safety: 11
- Education: 8
- Medicaid/Health Care: 7

In the 2014 legislative sessions, about HALF of state legislators were serving their first or second term.
State Structures for Health Insurance Marketplaces/Exchanges

Percent of Eligible Enrollees

U.S. Average=28%
ACA Medicaid Expansion Decisions

As of October 1, 2014, in active discussions.

LEGEND
- Currently not expanded
- Currently implementing or exploring expansion alternatives
- Currently expanded

State Plans Related to the ACA Primary Care Increase for SPY 2015

NOTE: States reported their plans as of the beginning of state fiscal year 2015, which for most states started July 1, 2014. The federal funding for the primary care expansion ended December 31, 2014.

SOURCE: CMS, survey of Medicaid offices in 50 states and DC conducted by Health Management Associates, October 2014.

Medicaid Transformation

- Prevention and care coordination incentives
- Payment and delivery system reforms
  - Medical/health homes
  - Accountable care organizations
  - Bundled payment programs
  - Hotspotting
- Move toward managed care
- Long term care rebalancing
- Funding from the federal State Innovation Model Awards.
State Innovation Models Awards

Health Care Innovation Awards Round Two: Awarded Projects

Emerging and Continuing Policy Issues

What health policy area received the most legislative requests in the past month at NCSL?
Emerging and Continuing Issues

- Narrow networks/network adequacy
- Prescription drug abuse prevention.
- Community health workers and community paramedics.
- Medicaid and Corrections.
- Telehealth
- Coordinating care for dually eligible beneficiaries
- Social determinants of health/health disparities
- E-cigarettes/Vapor regulation
- Medical marijuana
- Public health preparedness
- Improving health/reducing the need for health care.
Telehealth

- Reimbursement of telehealth encounters.
- Licensure for telehealth providers.
- Ensuring patient privacy and safety.

Preventing Prescription Drug Abuse and Overdose: 2014 Trends

- Allow a degree of immunity for individuals who seek medical assistance or administer treatment for those experiencing an overdose.
- Amend or modify existing Prescription Drug Monitoring Programs.
- Prohibiting the substitution of opioid analgesic drugs incorporating a tamper-resistant technology
- Establish or amend operational requirements for pain management clinics (often called "Pill Mills")
- Amend requirements for Chief Medical Examiners for overdose deaths related to controlled substances.

State E-cigarette laws/regs

- 41+ states prohibit sales to minors
- 3 states have added vapor/e-cig use to 100% clean indoor air laws: NJ, ND, UT
- 2 states tax e-cigs specifically: MN and NC
- 2 states require child-resistant liquid nicotine packaging
- States define vapor products and other tobacco products (OTP) but usually NOT as a traditional combustible cigarette or smokeless products
- Karmen Hanson karmen.hanson@ncsl.org 303-856-1423
Medical Marijuana Laws

- CA: First state to pass with Prop. 215 in 1996
- Since then, 22 states and DC have followed: AK, AZ, CO, CT, DE, HI, IL, ME, MD, MA, MI, MN, MT, NV, NH, NJ, NM, NY, OR, Ri, VT, WA
- 12 became legal through voter/ballot initiative process
- 12 legal through legislation (CT, DE, HI, IL, NJ, NM, RI, VT)
- 11 new “low THC” limited programs in 2014
- Karmen Hanson karmen.hanson@ncsl.org 303-856-1423

Reducing Health Disparities: State Actions

- Environmental Health & Asthma: 27 bills in 18 states were enacted.
- Early Education and Child Care: 42 bills in 23 states were enacted.
- Grants or Incentives For Small or Minority-Owned Business: 31 bills in 17 states were enacted.
- Minimum Wage: 15 bills in 14 states were enacted.
- Tribal Health and Human Services: 14 bills in 10 states were enacted.
- Unemployment Benefits or Retraining Programs: 63 bills in 27 states were enacted

Social Determinants of Health, Snapshot of State Actions

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Questions?

Contact Information:
Laura Tobler, laura.tobler@ncsl.org
303-856-1545