

MSAAP End of Session Report

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By Lynn Evans, Legislative Monitor

The 2013 Legislative Session has been overshadowed by what did not happen: a debate about whether or not to expand Medicaid under the federal Affordable Care Act. Pressure mainly from Governor Phil Bryant and House Speaker Philip Gunn kept legislation containing the codes necessary for expanding Medicaid from the House floor. A simple bill to reauthorize Medicaid which did not contain expansion codes was defeated in the House when it did not get the 3/5 vote required for passage of money bills. The sense at the Capitol is that Governor Bryant will call a Special Session in June to reauthorize Medicaid. A Special Session may by law be defined so narrowly that it would exclude consideration of all but reauthorization of Medicaid.

There were 9 bills introduced in the House and 7 Senate bills to restrict texting and driving, including a ban on all teens texting while driving and a ban on texting while driving in a school or work zone. All bills died on the first deadline. I spoke with the House Transportation Committee Chairman Robert Johnson before the deadline and he told me he did not have the votes to get a texting ban passed. Johnson did, however, talk regularly about highway safety in committee meetings and shepherded a bill expanding the ATV safety law passed two years ago to include ATV side carts in the helmet requirement.

There was an effort to more clearly define the requirements for alternative sentencing for teen drivers. We discovered that the state's Graduated Driver's License Law is not resulting in teens 16 and under losing their licenses for traffic offenses; the offenses are instead being adjudicated and the teens have to take a safety course to retain their license. Two individuals who own companies that run the safety courses – one on-line, one requiring in-person attendance – both lobbied fiercely for and against allowing on-line traffic safety classes. The result was a bill setting up a task force to look at these classes. The MSAAP and Dr. Rick Barr are recommending Dr. Nan Frascogna to sit on this committee. If the committee is to be effective, it will need input from MSAAP and other groups working on teen traffic safety to help define what works best to keep teens from dying on our roads and highways.

There was a good bill supported by MADD to require interlock devices for drivers convicted of DUI supported by the governor, passed and signed.

Child Abuse was again a hot topic. A good child abuse bill was passed to better define what constitutes abuse. The definitions were the result of work between the sessions by Dr. Scott Benton of the Children's Justice Center, the state prosecutors, and Senator Brice Wiggins.

There was also a good bill shepherded by the Attorney General's Office on Human

Trafficking that will, among other things, do more to identify and protect child victims of human trafficking.

The SmokeFree ban bills again died on the first bill deadline. The Senate held a hearing with strong testimony from health specialists about the importance of passing a smoking ban, but without support from House or Senate leadership, or from the Governor, the proposed legislation could not withstand the powerful tobacco lobby at the State House.

Also killed in first committee were two bills opposed by MSAAP: a Belief Exemption to the state's vaccination requirements and a midwifery bill allowing midwives without nursing training to be registered and paid.

An effort to require pulse oximetry testing of newborns was redirected to a volunteer agreement among hospitals on when to do oximetry testing designed with AAP guidelines. This was a very good outcome and showed that working on an issue outside of the legislative process can sometimes be more effective than getting a bill passed or defeated.

The Sports Concussion or Return to Play bills again went nowhere. There is some sentiment that work to keep young athletes from permanent brain injury resulting from undiagnosed concussions in the midst of sports games could be better accomplished by working with the state's athletic leagues to train coaches and volunteers on how to recognize and respond to injuries on the field. Likewise, a bill to require bike riders to wear helmets died on the first deadline.

The Healthy Food Act was passed to encourage small businesses to set up grocery marts in Food Deserts throughout the state to sell more fresh fruits and vegetables to families and children. Also passed was the "Anti-Bloomberg Bill" prohibiting local governments from banning the sale of large soft drinks or other products associated with bad health outcomes.

A bill to expand the EPA Lead Paint law was passed with MSAAP support. A bill to allow the self-administration of asthma medication or epipines fell apart in the last weeks of the session. MSMA successfully pushed bills to require insurance payment for telemedicine services and to require one form industry-wide for prescription prior authorization. They also pushed through a bill expanding the Rural Physician scholarship program.