

MSAAP Legislative Wrap-Up  
April 8, 2014  
Lynn Evans

This has been a very challenging Legislative Session for MSAAP. We saw a number of very good and very bad bills die, saw a Return to Play/Concussion bill passed and signed early in the session, and became embroiled in the fight to prevent expansion of MississippiCAN, in spite of trying to stay neutral on that issue.

The very good news was that House Public Health Chairman Sam Mims authored and helped steer to passage a new law meant to protect youth athletes who had suffered a possible concussion during practice or play from further brain injury. The bill received wide support, and was strongly supported by State Medical and the Brain Injury Association. Three Chapter pediatricians attended the signing ceremony.

The most disappointing event of the session was the last minute demise of the Texting Ban bill in the House on a procedural motion. In spite of previous reluctance by House members to pass such a bill, the membership passed by wide margins first a teen texting ban and then a Senate-modeled bill that would have prevented all but hands-free and emergency cell phone use by drivers of any age. State Medical pushed hard for an all-ages texting ban; hopefully they will help MSAAP garner support for another attempt at passage next year. Mississippi still has the highest teen traffic fatality death rate in the nation, although our overall death rate has fallen from number 1 in the years following the passage of the Primary Seatbelt Law. MSAAP also attempted to insert money for a public information campaign about the importance of not texting while driving into the texting-ban bill; that also will have to wait until next year.

A second teen driving bill that was killed after passing both the House and the Senate was a bill limiting the Driving Safety classes that teens may take to retain their driver's license after a traffic citation. Current practice is for judges to send teen offenders to classroom classes, but the owners of internet classes want to expand their use and teens are a lucrative target population. However, research shows that about a third of teens in a fatal crash have already had at least one prior accident, so effective intervention via the Drivers Safety Classes is essential. MSAAP ER pediatrician Dr. Nan Franscogna, Batson's Injury Prevention Coordinator Elizabeth Foster, and Mississippi Safety Services have created a teen Driver's Safety Class at designed to change teen driving behavior. They hope to create a research-based model for teens and be ready for next year.

Medicaid Director David Zielak asked to meet with MSAAP leadership early in the session to get help convincing state pediatricians to continue seeing their CHIP patients when they transition to Medicaid, and to convince more pediatricians to see Medicaid patients. This ASK quickly transitioned into a request by Medicaid not to oppose their request to the Legislature to expand MississippiCAN to include almost all children not currently in the program. The Chapter leadership asked in return that Medicaid meet regularly with them to address and correct problems pediatricians are experiencing with managed care, and to explore incorporating more Patient Centered Medical Home practices into MississippiCAN. This resulted in a public split between MSAAP and the

state family practice physicians, as well as State Medical. In spite of MSAAP doing no lobbying on this issue, the Chapter was denounced from the floor by Rep. Becky Currie, ironically a strong supporter of the Patient Centered Medical Home. The final Medicaid Tech bill passed with language expanding managed care to include all children, and language providing that Mississippi Medicaid will continue to pay primary care providers, including pediatricians, at the full Medicare rate even after the federal government drops that subsidy provided by the Affordable Care Act. The Medicaid Appropriations bill also included a PIN for a full-time Medical Director for Medicaid.

Two important reauthorizing bills passed: the bill providing incentive payments to coroners get trained to do child death investigations and for doing them appropriately, and the Asthma bill. The state Lung Association worked closely with pediatric specialists before the session on the Asthma bill to craft language that worked better for pediatricians, school nurses, and in keeping children with asthma healthier.

Among the bad bills killed were anti-immunization legislation and a bill to decrease the sales tax on motorcycles. Among the good bills killed were Smoke Free bills, bike helmet requirements, a requirement that all back seat riders wear seatbelts, and a bill supposedly sponsored by the Sheriffs' Association making clear that ATVs are not allowed on roadways.