



Top Advocacy Issues

FEBRUARY 2024



MEMBERS: Find advocacy involvement opportunities at:
[OSMA.org/get-involved](https://osma.org/get-involved)

OSMA's Government Relations team serves as the voice of Ohio's physicians of all specialties. We are always monitoring the legislative and regulatory spaces for new and emerging topics that arise throughout the year—advocating for the practice of medicine in Ohio.

Our current priorities:

1

Insurance Issues

HB 130 - OSMA Prior Authorization "Gold Card"/Major Insurance Reform Initiative

Introduced by Rep. Kevin Miller (R-Newark), this bill would create an exemption system that rewards Ohio healthcare providers who consistently receive a prior authorization approval rate of 80% or more for a specific service, device, or drug in the prior 12-month period. These providers would receive a "gold card" exempting them from the burden of prior authorization for that specific service, device, or drug. OSMA testified in support of HB 130 in June of last year, and is spearheading a coalition backing the bill. Continuing to support HB 130 will be among OSMA's top 2024 advocacy priorities. For details and participation opportunities, visit: [OSMA.org/insurance-reform](https://osma.org/insurance-reform)

Insurance Reform – Takebacks & Downcoding

OSMA is gearing up to take legislative action regarding other insurance-related issues such as automatic downcoding of claims and retroactive takebacks. We have collected an abundance of feedback from members about how these issues are causing administrative burdens, and hope to create meaningful changes in the legislative space that will alleviate these difficulties for Ohio physicians.

Co-Pay Accumulator

OSMA is supporting House Bill 177, introduced in May 2023 by Rep. Susan Manchester (R-Waynesfield). Health plans and pharmacy benefit managers (PBMs) may apply co-pay accumulator adjustment policies when patients attempt to use copay assistance programs. These prohibit a patient's copay

assistance amount from counting toward their deductible and maximum out-of-pocket cap. HB 177 would require insurers and PBMs to count all payments made by patients directly or on their behalf toward their deductibles and out-of-pocket cost. We will continue to advocate in support of HB 177 moving forward in the legislative process.

Non-Medical Switching

OSMA has partnered with Ohio Association of Rheumatology in support of legislation which would prohibit insurers from engaging in the practice of non-medical switching. Rep. Beth Liston (D-Dublin) and Rep. Sara Carruthers (R-Hamilton) introduced House Bill 291 in the fall of 2023 and this legislation seeks to avoid the disruption of a physician's ability to exercise their medical expertise and help their patients caused by abrupt and unwarranted treatment changes.

Biomarker Testing

OSMA continues to support legislative efforts (HB 24) which would require state-regulated health insurance plans, including Medicaid, to provide coverage for biomarker testing when medically appropriate. Biomarker testing is increasingly used in diagnosis and treatment of a variety of conditions, including cancer. Insurance coverage would, for example, help reduce treatment costs and improve quality of life for Ohioans diagnosed with cancer.

2

Scope of Practice

We expect that, as it has been for years, scope of practice for all allied practitioners will continue to be an area of focus in our advocacy agenda moving forward. OSMA is prepared to continue to advocate for physician-led, team-based care in 2024 and beyond. Some anticipated areas of focus include: optometrists, certified mental health assistants, pharmacists, and APRNs.



3

Public Health Issues

SB 59/HB 169 - Tanning Ban for Minors

OSMA has joined the Ohio Dermatological Association for the past several years to support a measure that would prohibit individuals under age 18 from using tanning beds. Recently, an amendment was added to HB 169 in response to significant pushback regarding the concept of parental rights. Now, rather than outright banning indoor tanning use for minors, it would require not only parental consent to be given for each time a minor utilizes tanning services, but also for the parent to be present on-site at the time the services are rendered. We are hopeful that this compromise will give this proposal the boost it needs to move forward in the legislature, while still putting in place additional hurdles that will highly discourage use of tanning services for individuals under the age of 18.

Health Equity

OSMA remains dedicated making sure health care is fully inclusive and attainable so that everyone has access to necessary medical services regardless of race, ethnicity, sexual orientation, or any other defining characteristic.

Mental Health & Substance Use Disorder Treatment

OSMA has worked over the past several years to try to shift the focus of the response to the drug abuse and overdose crisis in the state, promoting reduction of barriers to mental health and substance use disorder treatment (including medication-assisted treatment), utilization of telehealth, and access to harm reduction services. We will continue this work in 2024.

4

Criminalization of Medicine/Legislative Interference, Overreach in Medicine, & the Physician-Patient Relationship

We continue to advocate for appropriate legislative and regulatory oversight of the practice of medicine which does not prevent physicians from providing best practice, high-quality care and making the best possible treatment decisions for unique patient care circumstances.

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Tort Reform

As always, OSMA will continue to monitor the medical liability climate in Ohio and support stability for Ohio physicians. This will be an area of particular focus with this fall's elections, and the potential impact that election outcomes may have on tort reform in Ohio.

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