

September 23, 2016

## Weekly Legislative Wrap-Up

### State of the States



The Indiana Prescription Drug Monitoring Program (PDMP), INSPECT, is **considering** a

plan that would make significant changes to the system, making it easier for physicians to use. A new proposal would divert money from physician's registration fees to allow INSPECT to link into physician's offices electronic health records. Currently, Indiana law requires physicians and pharmacies that dispense more than a 3-day supply of controlled substances to report to the PDMP, but there is no requirement for doctor's to query the system.



This week, the Massachusetts Department of Industrial Accidents held a public **hearing** regarding

proposed changes to the state's workers' compensation regulations. Among the provisions, requirements on employers to provide workers' compensation insurance for all employees drew the most attention. The hearing was **dominated** by immigrant worker advocates that called on the Department to ensure employers meet their obligations in regards to workers' compensation benefits.



A new study by the National Council on Compensation Insurance (NCCI) examined prescription drug costs in workers' compensation.

The **study** found that while prescription drug utilization decreased by 4% in 2014, prescription drug prices rose 11% in that same time. Similarly, the price of controlled substances increased by 16% while utilization of controls decreased by 7%.



# State of the States



Texas labor groups are **considering** whether the Oklahoma opt-out ruling is “significant” to

their state’s own opt-out system, and whether a similar argument can be made against the Texas program. The AFL-CIO is looking for the state’s opt-out/non-subscriber program to be an issue in the 2017 session, but the Department of Insurance stated it does not believe any changes to the current law will occur because there are significant differences between Texas and Oklahoma’s law.



The Florida Insurance Commissioner **said** the department was “very close” to reaching

a decision on the proposed 19.6% rate hike. Two state Supreme Court rulings issued earlier this year are being blamed for the dramatic rate

increase, specifically the ruling in *Casetellanos v. Next Door Co.*, which removed caps on attorney’s fees in workers’ compensation claims. The legislature is currently debating whether or not to take up workers’ compensation reform in 2017 as a result of the hike.



Eight years after voters approved medical marijuana, the state legislature passed a bill to regulate

medical marijuana. Among the provisions of **HB 4209**, a new tax on dispensaries would help fund the state’s First Responder Presumed Coverage Fund, a fund that pays benefits to firefighters who contract certain cancers related to their work. Under the fund’s requirements, any claim filed with them suspends a firefighter’s workers’ compensation claim.

## Where in the U.S.A. are Jayne & Danielle?

Jayne will be in the home office this week and Danielle will be in California the first half of the week for meetings with the Department of Industrial Relations, and other interest groups, and in Baton Rouge the last half of the week for a public hearing.



## Questions, Concerns, Suggestions? Let Us Know.

Jayne Kresac, Esq.  
VP, Legal and Government Affairs  
jkresac@iwpharmacy.com  
www.iwpharmacy.com/about-iwp/  
government-affairs  
**978.809.2148**

Danielle Jaffee, Esq.  
Manager of Government Affairs  
djaffee@iwpharmacy.com  
www.iwpharmacy.com/about-iwp/  
government-affairs  
**978.770.8047**



# IWP

PO Box 338 Methuen, MA 01844

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