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Friday, May 27, 2022

## Legislative bulletin:

- [Week No. 20 summary](#)
  - [Capitol Update](#)
  - [How to stay in the know](#)
- 

## WEEKLY SUMMARY

### Week No. 20 summary

The 2022 legislative session ended late Tuesday night. A session that was supposed to last 100 days turned into 135 days. Of utmost importance was the long wait for the final Health and Human Services budget and standings bill outlined below. The IHA advocacy team will share the 2022 Legislative Summary in the upcoming weeks after Gov. Kim Reynolds signs the bills into law. Email questions to [Erin Cubit](#), [Jenny Klein](#) or [Jamie Horbach](#) at IHA.

#### Health and Human Services budget

On Monday, both chambers voted and approved the Health and Human Services budget for fiscal year 2023. Budgetary matters of importance to hospitals include:

- \$425,000 budgeted for the Center of Excellence Program.
- \$800,000 budgeted for rural psychiatric residencies.
- \$1.5 million budgeted for the cost-adjustment factor for critical access hospitals.
- \$1.5 million budgeted for tiered rates for psychiatric intensive care.
- Continuation of the provider tax.
- Overall Medicaid increase of \$6.2 million.

Among the fiscal provisions in the bill were policy provisions. The HHS budget bill included:

- Language from earlier legislation about state-funded psychiatry residency programs administered through the University of Iowa Hospitals and Clinics.
- Language about legislation allowing out-of-state providers to bill for telehealth services.
- Language from a 2021 bill about health data privacy.

The last policy provision is about the More Options for Maternal Support program. The language allocates \$500,000 for the program but does not include an IHA-supported provision that extends postpartum Medicaid coverage for 12 months. Rather, the bill requires the Department of Human Services to study this issue for the legislature to review next year.

### **Standings bill**

The standings bill is a catch-all final bill for last minute pieces of legislation or fixes to prior bills. Two pieces of hospital-related legislation were added to the bill:

- **Language about ambulatory surgical center transparency.** It requires providers to give patients certain information about the ambulatory surgical center when referring patients to the facility for surgery. This piece of legislation died before the second funnel but was included in the final standings bill.
- **The employment agencies bill.** [House File 2521](#) prohibits a health care employment agency from entering a contract with a health care worker or facility that contains noncompete language, liquidated damages or employment fees if the worker is hired by the facility. It makes such a contract unenforceable in court. The standings bill made this piece of legislation retroactive to Jan. 1, 2019.

### **Other legislation**

Another bill whose fate was decided in the final hours of session concerned pharmacy benefit managers. [House File 2384](#) establishes fiduciary duties for pharmacy benefit managers. It also requires pharmacy benefit managers to allow an Iowa pharmacy to participate in its network with the same terms and conditions and reimbursements as other pharmacies, and prohibits charges to pharmacies in the network. It includes calculations to limit cost-sharing for patients, among other provisions.

During the final minutes of session, an amendment was passed that significantly scaled back the bill. The amendment removed the provisions prohibiting discrimination against Iowa pharmacies for network participation and the appeals process. The amendment kept the provisions about clawbacks on clean claims.

Both chambers passed the bill unanimously, sending it to the governor for consideration. IHA was supportive of the original bill and anticipates this topic will come back next year.

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## CAPITOL UPDATE

### **Listen to IHA's Capitol Update**

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- [Podcast.](#)
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Email [Joah Hogan](#) at IHA with questions.

# STAY IN THE KNOW

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