



# Massachusetts Legislative Priorities

**Tuesday, March 2, 2021**

**10:00 – 11:30 a.m.**

*This program is part of the monthly Zoom Tuesday Discussion Series hosted by the Massachusetts Association of Health Underwriters*

# Massachusetts Legislative Priorities

## Agenda

- ✓ Welcome & Introductions
- ✓ Overview of our State Legislative Process
- ✓ Working with the New Legislative Leadership & Key Committees
- ✓ Legislative Issues and Priorities for 2021
- ✓ MassAHU Guiding Principles & Advocacy Focus
- ✓ Wrap Up

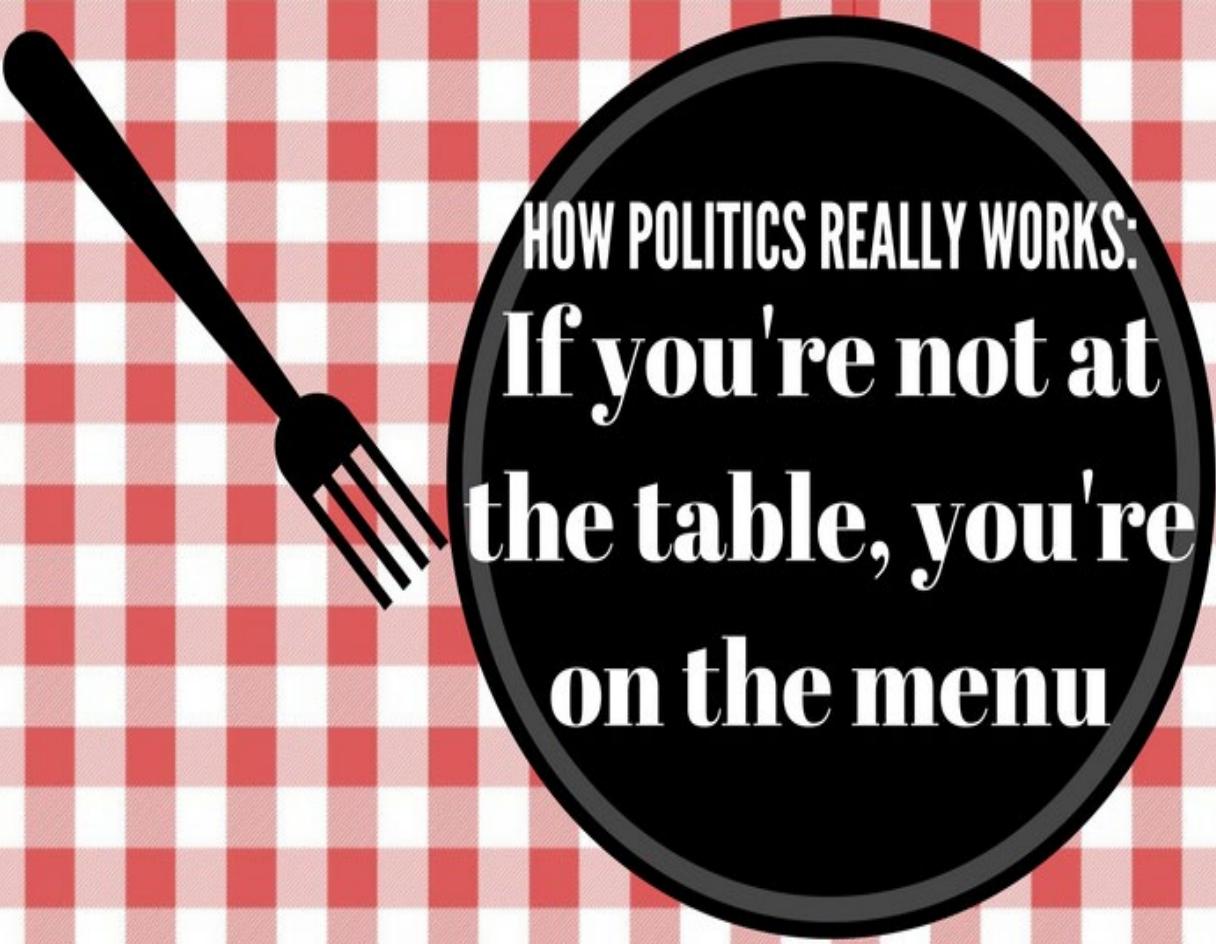
## Participants

Host/Moderator:

- Eric Gulko, MassAHU State Legislative Chair

Guest Panelists:

- Lora Pellegrini, President & CEO, MAHP
- Jack Bartley, Principal, Beacon Hill Consulting Group
- Jay Barrows, State Rep & Insurance Agency Owner



**HOW POLITICS REALLY WORKS:  
If you're not at  
the table, you're  
on the menu**

# The 2021-2022 Legislative Session



*There were approximately 6,500 docket numbers filed with the House and/or Senate Clerk's office as of February 19<sup>th</sup>. Of those filed, approximately 46 were re-files from the 2019-2020 session. We are currently reviewing all bills related to health policy and/or mandated benefits.*



# Legislative Process in Massachusetts



**Step 1:** Laws usually originate from proposals sponsored by legislators, the governor or from recommendations of a department or agency but can also emerge from an idea which a member of the public believes should become law.



**Step 2:** A bill is filed for consideration. House bills are filed with the House clerk. Senate bills are filed with the Senate clerk. Bills have one primary sponsor but may have multiple co-sponsors. The Governor or constitutional officers may also file bills, which are sent initially to the House clerk. Bills are assigned a number and referred to a committee.




**Step 3:** A public hearing is scheduled by a committee, often grouping issues of similar nature together. Lobbyists, state officials, stakeholders, and other interested parties are invited to orally testify before the committee to support or oppose a bill. Individuals may also submit written testimony to the committee.




**Step 4:** The committee holds an executive session to vote on bills. Bills are reported as 'ought to pass', 'ought NOT to pass', or they are accompanied by a study order. Most bills are given extension orders, allowing them to remain in committee until a certain date, or they are put to study - essentially killing the bill.




# Legislative Process in Massachusetts



**Step 5:** After being reported out of committee, a bill receives its first reading. It is usually referred to the Committee on Steering, Policy & Scheduling, then placed in the orders of the day for the next session. It is then read a second time and is up for debate, motions and amendment.



**Step 6:** Upon a favorable vote at the end of debate, the bill is ordered to a third reading and is then referred to the Committee on Bills in the Third Reading. After review, the bill is released and is returned to the House or Senate floor for a third reading.



**Step 7:** Upon the third reading of the bill, it's again subject to debate, motions and amendment in the House or Senate. Once debate concludes, a vote is taken on whether to pass the bill to be engrossed. Upon a favorable vote by the House or Senate, the bill advances to the other legislative branch. The same activity takes place in the second chamber.



# Legislative Process in Massachusetts



**Step 8:** If the bill is amended by the second branch, it will be returned to the first branch for a concurrence vote. If concurrence is rejected, a bi-partisan conference committee of three members from each branch is appointed to craft a compromise bill that is sent to both legislative branches for a final vote. The conference committee's report recommending the compromise bill cannot be amended.



**Step 9:** The bill is enacted in the House and then the Senate, signed by the Senate President, and sent to the Governor, who can sign the bill into law, allow the unsigned bill to become law, veto the bill, or send the bill back to the Legislature with amendments. A veto can be overridden with a two-thirds vote in both branches.



**Step 10:** The Governor will sign the bill, passing it into law. Unless noted or accompanying an emergency preamble, the bill goes into effect 90 days from signing. Most bills, however, are written to allow the law to go into effect immediately upon enactment.

# The 2021 Massachusetts Legislature

## House

129 Democrats

30 Republicans

1 Independent

## Senate

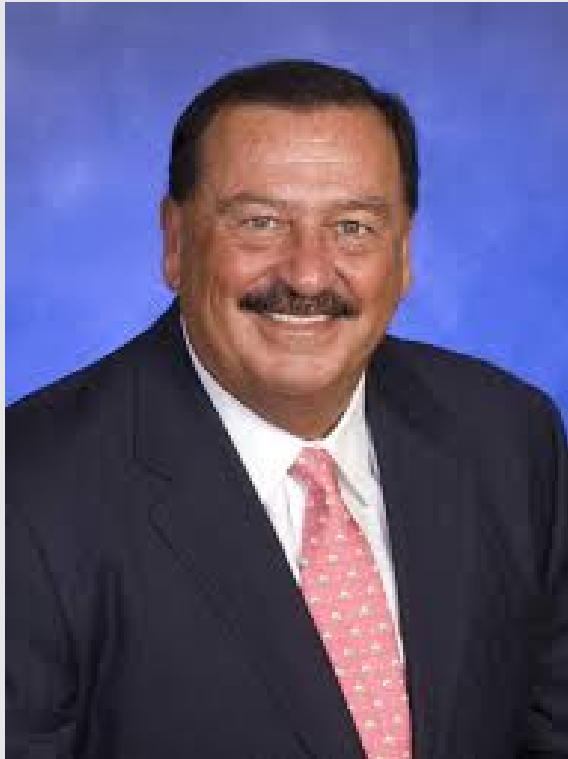
37 Democrats

3 Republicans

- 19 Freshman Legislators
- New Leadership
- New Committee Assignments



# House Leadership



**Ronald Mariano**  
*Speaker of the House*  
(D – Quincy)



**John Lawn, Jr.**  
*Chair of Health Care Financing*  
(D – Watertown,  
Waltham & Newton )



**James Murphy**  
*Chair of Financial Services*  
(D – Weymouth &  
Hingham)

# Senate Leadership



**Karen Spilka**  
*President of the Senate*  
*(D - Ashland, Framingham,  
Franklin, Holliston, Hopkinton,  
Medway & Natick)*



**Cindy Friedman**  
*Chair of Health Care  
Financing*  
*(D - Arlington, Billerica,  
Burlington & Woburn)*



**Brendan Crighton**  
*Chair of Financial Services*  
*(D - Lynn, Lynnfield,  
Marblehead, Nahant, Saugus,  
& Swampscott)*

# MassAHU's Key Legislative Committees & State Agencies

- *Joint Committee on  
FINANCIAL SERVICES*
- *Joint Committee on  
HEALTH CARE FINANCING*
- *Health Policy Commission (HPC)*
- *Center for Health Information &  
Analysis (CHIA)*
- *Division of Insurance (DOI)*

# Key Committees for MassAHU

## *FINANCIAL SERVICES*

### **House Appointments**

**Chair** James Murphy - *Weymouth*

**Vice Chair** Bruce Ayers - *Quincy*

David Henry Argosky LeBoeuf - *Worcester*

Richard Haggerty - *Woburn*

Kate Lipper-Garabedian - *Melrose*

Smitty Pignatelli - *Lenox*

Meghan Kilcoyne\* - *Northborough*

Sally Kerans\* - *Danvers*

Steven Owens\* - *Watertown*

Jay Barrows – (R) *1st Bristol,*  
*Ranking Minority Member*

Nicholas Boldyga – (R) *3rd Hampden*

### **Senate Appointments**

**Chair** Brendan Crighton - *3rd Essex*

**Vice Chair** Michael Moore - *2nd Worcester*

Joseph Boncore - *1st Suffolk and Middlesex*

Edward Kennedy - *1st Middlesex*

Susan Moran - *Plymouth & Barnstable*

Ryan Fattman – (R) *Worcester and Norfolk,*  
*Ranking Minority Member*

# Key Committees for MassAHU

## HEALTH CARE FINANCING

### House Appointments

**Chair** John Lawn, Jr. - *Watertown*

**Vice Chair** Jay Livingstone - *Boston*

Lindsay Sabadosa - *Northampton*

Christine Barber - *Somerville*

Steven Ultrino - *Malden*

Brian Murray - *Milford*

Jon Santiago - *Boston*

Patricia Duffy\* - *Holyoke*

Kip Diggs\* - *Osterville*

Thomas Golden, Jr. - *Lowell*

Hannah Kane – (R) *11th Worcester,*  
*Ranking Minority Member*

Mathew Muratore – (R) *1st Plymouth,*  
*Asst Ranking Minority Member*

Lenny Mirra – (R) *2nd Essex*

### Senate Appointments

**Chair** Cindy Friedman - *4th Middlesex*

**Vice Chair** Harriette Chandler - *1st Worcester*

Julian Cyr - *Cape and Islands*

Paul Feeney - *Bristol and Norfolk*

John Keenan - *Norfolk and Plymouth*

Eric Lesser - *1st Hampden and Hampshire*

Patrick O'Connor – (R) *Plymouth and Norfolk,*  
*Ranking Minority Member*

# Health Policy Commission

***The HPC is an independent state agency that develops policy to reduce health care cost growth & improve the quality of patient care***

- Interim COVID-19 Impact Study in collaboration with CHIA
- Hearing on the Health Care Cost Growth Benchmark: *March 25*
- Telehealth Cost Analysis
- All cost & market impact reviews of the effect of proposed market transactions on cost, quality, & access to care

# Center for Health Information & Analysis

***CHIA is an independent agency that serves as the State's primary hub for health care data and primary source of health care analytics that support policy development***

- Partnership with HPC on Interim COVID-19 Impact Study
- New series of research notes
  - An Inside Look: Affordability Findings from the Massachusetts Health Insurance Survey*
- Two new health care information & analysis initiatives
  - ❖ *Monthly enrollment summaries measure the impact of the pandemic on insurance coverage*
  - ❖ *Monthly hospital & health system financial performance reporting*

# Division of Insurance

***The DOI administers laws pertaining to the protection of insurance consumers through regulation of the insurance industry; investigation and enforcement of state laws and regulations pertaining to insurance; and responding to consumer inquiries and complaints***

- Finalizing MMAC Recommendation
- Currently Finalizing Rate Review Process
- Development of minimum standards for accreditation of carriers
- Monthly Merged Market Membership



# 2021 Legislative Issues

<p><b>New Assessments to Support Providers During/Post-COVID/Support for Community Hospitals</b></p> <ul style="list-style-type: none"><li>• 2018 \$450 M assessment defeated</li><li>• Primary Care Payment Reform</li></ul>	<p><b>Behavioral Health</b></p> <ul style="list-style-type: none"><li>• Continued efforts to expand BH, investments by health plans to support BH system--Sudders' BH Roadmap</li></ul>
<p><b>Prescription Drug Costs</b></p> <ul style="list-style-type: none"><li>• Efforts by PHARMA and Advocacy Groups to abolish co- payments for RX</li><li>• Efforts by HCFA to abolish co-payments for medications related to chronic conditions</li><li>• MAHP legislation on greater transparency and oversight within HPC</li></ul>	<p><b>Cost Drivers</b></p> <ul style="list-style-type: none"><li>• MAHP wants continued focus on:<ul style="list-style-type: none"><li>➤ RX costs</li><li>➤ Provider unit costs, and</li><li>➤ Market consolidations and expansions that lead to higher costs rather than great efficiencies.</li></ul></li></ul>
<p><b>Administrative Complexity</b></p> <ul style="list-style-type: none"><li>• Efforts by MMS and MHA to abolish prior authorization in the name of simplification</li><li>• Efforts to limit cost sharing</li></ul>	<p><b>Surprise Billing</b></p> <ul style="list-style-type: none"><li>• Need to enact a state default rate for OON providers—federal law will raise costs</li></ul>

**MassAHU  
Recommendations  
for the  
Merged Market  
Advisory Council  
(MMAC)**

*Submitted and presented to the Merged Market  
Advisory Council at their February 27, 2021  
meeting*

- **Demerge individual and small group WITH reinsurance created for unsubsidized individual market**
- **Strengthen and promote greater healthcare price and quality transparency**
- **Offer the same products and pricing in and outside Connector**
- **Require increased disclosure of claims data**

# Legislative Advocacy: MassAHU's Guiding Principles

- **Equity**
  - Equity in Products, Pricing and Compensation
  - Distribution by Licensed Professional Insurance Agents and Brokers
- **Transparency**
  - Price transparency of healthcare services
  - Quality metrics of healthcare providers
  - Collection and distribution of information
- **Market-Driven Solutions**
  - Private market vs. mandates
  - Pricing based on actuarial results and market competition

## Legislative Advocacy: MassAHU's Focus in 2021

- **Expanding broker brand awareness**
  - Meetings with key legislators and state agencies
  - Education on general impact of legislation on local business and their employees
- **Strengthening organizational relationships including:**
  - MA Health Insurers and MAHP
  - Associated Industries of MA (AIM)
  - Retailers Association of MA (RAM)
- **Taking action as needed**
  - Targeting key issues and proposed legislation with lobbyist and other stakeholders
  - Providing testimony, attending meetings and hearings, and issuing statements individually or collectively with other organizations
  - Engaging MassAHU members and clients as needed

Are you a  
Member of  
NAHU?

[http://nahu.org/  
membership/  
join-now](http://nahu.org/membership/join-now)





## Upcoming Events

April 6<sup>th</sup> – Sales & Marketing Strategies in  
this Socially Distanced World

May 4<sup>th</sup> – Diversity Equity & Inclusion in  
our Workplace and the Industry

June 8<sup>th</sup> – MassAHU Annual Meeting &  
Installation of Officers – Guest Speaker  
TBD