

# LEGISLATIVE REPORT 2022



# CSMS PRESIDENT'S MESSAGE

**"Zoom Room"**

**"YouTube Channel"**

**"Turn Your Camera On"**

**"You're On Mute"**

These are phrases that before the COVID-19 Pandemic we likely would not have associated with the Connecticut legislature. Yet, these words and phrases became part of our daily vernacular navigating the mostly remote 2022 Connecticut legislative session. The Connecticut State Medical Society (CSMS) legislative team took on the challenge and came out of this session with numerous legislative wins for Connecticut physicians and their patients.

The idea of a legislative win is interesting to deconstruct. Outside of the legislature, we conceptualize a win as perhaps the winner of a race – the first one across the finish line who gets a medal or a trophy for their athletic achievements. In the legislature, a win is very different; being the first across a finish line or having the biggest trophy is irrelevant. A win may be that part of a bill CSMS was lobbying for is passed in a larger body of legislation or it may be that a portion of a piece of legislation is made into a study group to enable the conversation to continue past the legislative session.

We had substantial wins this session (detailed in this report) in the form of physician recruitment and retention, the ability of medical assistants to give vaccinations, and the repeal of the ambulatory surgical center tax to name a few.

However, one of the biggest wins, that perhaps we don't talk about enough, is the win that comes in the form of stopping a legislative concept that would be detrimental to physicians and their patients. This legislative session, one of CSMS' biggest wins came in preventing the passage of legislation that would have drastically increased the interest rate award on certain medical liability judgements. If this legislation had passed, the downstream effect would have inevitably been an increase in the medical liability insurance premiums of all physicians in Connecticut. This win will not garner any media attention or fanfare and many physicians in Connecticut will be unaware of the existence of this legislation or CSMS efforts in preventing it from moving forward. Yet it is a win and a big win at that.

It is no secret that physician satisfaction with their jobs has been steadily decreasing over the years. The pressures placed on our physicians by the COVID-19 pandemic coupled with the ever-increasing burdens placed on physicians by health insurers, both public and private, have driven physician burnout rates to new levels. We are often asked, "What is CSMS going to do about it?" And the answer is we are fighting the fight and winning for our physicians. There are many legislative struggles that we will not win; that is the nature of a bi-partisan, bi-cameral legislature. Our wins may not all be flashy, and they may not be tangible wins (such as telemedicine payment protections for physicians), but I assure you we are working and winning for physicians in Connecticut.

As a final thought, I pose this question to you: "What would happen at the legislature if CSMS wasn't advocating and protecting physicians?" I can tell you this year, your malpractice liability premiums would likely have increased.

Ron Adelman, MD, MPH, MBA, FACS

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It was a wild and bumpy ride during this short legislative session! The 2022 legislative session convened on February 9th and adjourned on May 4th – less than three months in duration.

As is the case with short sessions, the primary focus of the session was budgetary-related bills and spending of a historic state budgetary surplus, including federal ARPA (American Rescue Plan Act) funds born out of the COVID-19 pandemic.

A large percentage of the legislative session and the budgetary spending was dedicated to improving and expanding access to community- and school-based mental health care for children and adolescents. CSMS lent a strong voice of support to expanded mental health resources for our children and adolescent patients and, in addition, we had a number of legislative wins that will help improve the practice environment in Connecticut for our physicians and their patients.

**DEFEATED!**

## HOUSE BILL 5235 – AN ACT CONCERNING THE CALCULATION OF PREJUDGMENT INTEREST ON A PLAINTIFF'S OFFER OF COMPROMISE

This bill would have greatly increased the award of prejudgment interest on certain medical liability judgments, likely increasing medical liability insurance rates for all physicians in Connecticut.

**PASSED!**

## MEDICAL ASSISTANTS' ABILITY TO ADMINISTER VACCINES (PROVISIONS CONTAINED IN HOUSE BILL 5500 AND SENATE BILL 457)

After nearly a decade of work on this legislation, appropriately trained medical assistants in Connecticut will finally be able to administer vaccines.

**PASSED!**

## RECRUITMENT AND RETENTION OF PHYSICIANS (SENATE BILL 2)

Under this legislation, at least \$1.6 million dollars of the funds appropriated for state loan repayment program will be used for repayment of physician loans. Further, a working group will be formed in group to explore methods to enhance physician recruitment in the state.

total number of bills tracked  
during the 2022 legislative session

**150+**

**PASSED!**

**EXTENSION OF TELEHEALTH PROTECTIONS  
(SENATE BILL 2)**

Under this legislation, telehealth protections, including parity in payment and audio-only use of telehealth will be extended through June 30, 2024.

**PASSED!**

**REPEAL OF THE TAX ON AMBULATORY SURGICAL  
ASSOCIATIONS (HOUSE BILL 5506, BUDGET  
DOCUMENT)**

In 2015, Connecticut instituted a 6% gross receipts tax on ambulatory surgery centers. This patently unfair tax will finally be repealed in 2022 under this legislation.

**PASSED!**

**SCOPE OF PRACTICE REVIEW PROCESS  
(HOUSE BILL 5500)**

Under this legislation, the established scope of review process that is run through the Connecticut Department of Health was modified to require any health care professional seeking to establish a new scope of practice or change the profession's scope of practice to utilize the scope of review process. Prior to this legislative change, the use of the process was permissive, not mandatory.

written testimony submitted by CSMS physicians

**20+**

**15+**

media opportunities (*CT Mirror*, radio, podcasts)

*Thank you to all of our physician advocates!*

CSMS physicians were involved in every aspect of advocating for our physicians and their patients, including meeting with legislators and stakeholders, writing, reviewing, and/or delivering testimony, penning op-eds, and participating in media interviews. Your contributions to CSMS' advocacy efforts cannot be overstated and we extend our sincere thanks!

## Looking Ahead: 2023 Legislative Session

CSMS is actively planning for the 2023 long legislative session that will run from January through June 2023. At the top of our legislative priorities are administrative burdens and patient care issues related to prior authorization and high deductible health plans. CSMS has been strenuously advocating for reforms in these areas and we have made small inroads during the last two legislative sessions.

During the off session this year, CSMS will be participating in a working group convened by the Insurance Committee of the Connecticut General Assembly to discuss the burdens physicians face related to prior authorization and to work on meaningful legislative reforms. Our job is to fight for you, the physicians of Connecticut, and we will continue to battle the powerful health insurance companies that dictate medical care and interfere with the physician-patient relationship.

### Why is membership in CSMS so important?

CSMS is YOUR representative with decision-makers at each level of government, continuously staying engaged and advocating for YOUR best interests.

Since 1792, the CSMS has worked on behalf of physicians and patients in Connecticut. Through CSMS, physicians stand together regardless of specialty to ensure patients have access to quality care and to make our state the best place to practice medicine and receive care. CSMS is part of a federation of county and state medical societies and the American Medical Association.

### How can YOU advocate for yourself and your fellow physicians?

During the 2022 legislative session, more than 20 CSMS member physicians testified before the legislature. In addition, member physicians submitted written testimony and were interviewed by local news outlets regarding the issues most important to the practice of medicine in Connecticut.

As a member physician, you can share your expertise as well. Contact **membership@csms.org** for more information.

#### Connecticut State Medical Society

127 Washington Avenue, East Building, Lower Level, North Haven, CT 06473  
203-865-0587 • [www.CSMS.org](http://www.CSMS.org)

