

MSMS Monitored Legislative Activity Summary – 12/05/07

Bill	Bill Summary	MSMS Board Position	Bill Status
Senate Bill 5 Bill Hardiman (R - Kentwood)	Would increase scope of practice of marriage counselors to include the term “psychotherapy” within the definition of the practice of marriage therapy.	Oppose	Referred to Senate Health Policy Committee. No action pending.
Senate Bill 23 Buzz Thomas (D – Detroit)	Would create a tax credit for physicians that locate in medically underserved communities.	Support	Referred to Senate Finance Committee. No action scheduled at this time.
Senate Bill 41 Martha Scott (D – Highland Park)	Would create contraceptive equity i.e. insures that provide pharmaceutical coverage for their insured would have to cover contraceptive costs at comparable levels.	Support	Referred to Senate Health Policy. No action pending.
Senate Bill 245 Buzz Thomas (D – Detroit)	This legislation would mandate that Nurse Practitioners located in underserved areas be reimbursed by Medicaid at the same level as physicians.	Oppose	Referred to Senate Health Policy. No action pending.
Senate Bills 329&330 Bruce Patterson (R – Canton)	This legislation would create mental health parity within health insurance by ending the discriminatory practice of charging higher co-pays and more restrictive lifetime maximums that exist within the current insurance market.	Support	Referred to Senate Health Policy. MSMS is continuing to work with advocates in the mental health community including psychiatrists to make this issue a priority for legislators. While this bill has been the subject of a fair amount of favorable press coverage, it is not scheduled for any legislative action at this time.
House Bill 4044 Mike Simpson (D – Jackson)	This legislation would eliminate the provision in the law that provides legal immunity to the manufacturer or seller of a drug if the drug has received approval from the Food and Drug Administration. If repealed, physicians could be subject to lawsuits currently not actionable under the existing law. This legislation has passed out of the House by a vote of 70-39.	Oppose	The bill has been sent to the Senate where it was referred to the Senate Judiciary Committee. Currently, no action has been scheduled in the Senate.

House Bill 4163 Brenda Clack (D – Flint)	This legislation would prohibit smoking in all indoor workplaces including bars and restaurants. MSMS is an active participant in the Campaign for Smoke-free Air (CSA), which is working to have this issue addressed by the legislature as quickly as possible.	Support	<b>Bill was passed out of House by a vote of 56-46. The bill was amended to exempt casino gaming areas, retail tobacco stores, existing cigar bars, and not affect existing collective bargaining agreements. The bill is now awaiting action on the Senate.</b>
House Bill 4146 Frank Accavitti (D-East Pointe)	This legislation seeks to license tanning facilities as well as establish parental consent requirements for use by minors.	Support	<b>Referred to House Commerce Committee. Hearing is set for Wednesday, December 11.</b>
Senate Bills 125 & 508 Deborah Cherry (D-Burton)	Would require minimum standards for physical education for school-aged children.	Support	Referred to Senate Education Committee. No action pending
House Bill 4036 Frank Accavitti (D-East Pointe)	Establishes minimal nutrition standards for foods offered to children in schools.	Support	Referred to House Health Policy Committee. No action pending
House Bills 4702 & 4792 Joe Hune (R-Fowlerville)	Seeks to reduce the obligation of insurers to pay for benefits to patients injured in auto accidents.	Oppose	Referred to House Insurance Committee. No action pending
House Bill 5077 John Espinoza (D-Croswell)	Restricts ability of an insurer to require a patient to switch to a different anti-convulsion drug if patient is stable on current drug regimen.	Support	Referred to House Health Policy Committee. No action pending
House Bills 4971 & 4972 Steven Bieda (D-Warren)	Creates regulatory process whereby bars and restaurants could obtain a permit to allow smoking in their establishment.	Oppose	Referred to House Tax Policy Committee. No action pending
House Bill 4038 LaMar Lemmons (D-Detroit)	Permits the use of marijuana for medicinal purposes.	Oppose	Referred to House Judiciary Committee. No action pending
House Bill 4810 Marie Donigan (D-Royal Oak)	Creates a class of licensure for Speech Language Pathologists (SLP)	Oppose	Referred to House Health Policy Committee. No action pending
House Bill 5098 Bettie Scott Cook (D-Detroit)	Seeks the forfeiture of personal injury benefits covered under current auto no-fault laws for motorcycle operators who do not wear helmets.	Oppose	Referred to House Health Policy Committee. No action pending

Single Business Tax (SBT) Replacement	<b>The legislature and the governor have agreed on the proposal to implement the Michigan Business Tax (MBT). The new tax is slated to bring into state coffers the same \$1.9 billion the soon-to-be retired Single Business Tax (SBT) generated, out-of-state businesses will pay around \$100 million more while manufacturers see property tax relief as high as 67 percent. The MBT includes credits for companies that invest in Michigan while increasing the state's insurance tax 17 percent from 1.07 percent to 1.25 percent. As part of the agreement for the repeal of the state tax on services, there will be an additional surcharge of 22% of the MBT calculation for businesses.</b>
Tax on Services	<b>Part of the reconciliation for the 2008 budget included a proposal to tax many services at a rate of 6%. While health care was not included, there were several services used by physician practices that would be subject to taxation. There was a tremendous backlash by the business community to this tax structure. Consequently, this tax was repealed. The revenue generated by the tax on services was replaced by the adoption of a 22% surcharge to the Michigan Business Tax.</b>
2008 Budget	The terms of the fiscal year 2008 budget have finally been resolved prior to the October 31 deadline set by the legislature and the governor. No cuts to physician reimbursement or GME, and preservation of essential programs in the Healthy Michigan Fund were key elements of the agreement. Cuts to these programs were avoided through an increase of the hospital Quality Assurance Assessment Program (hospital provider tax) that was able to further leverage federal dollars to help pay for the remaining shortfall in the MDCH budget. Intent language was also added to signal the desire of the legislature to increase fees paid to physicians in future budgets.

*\*\*Items in boldface type have been updated since the last published grid.*