



**CALIFORNIA
HOSPITAL
ASSOCIATION**

*Providing Leadership in
Health Policy and Advocacy*

May 31, 2019

TO: CHA Members
FROM: Carmela Coyle, President & CEO
SUBJECT: Weekly Advocacy Review

Member Advocacy Call

June 4, 8:30 a.m.

Dial-In: (800) 882-3610 Passcode: 5010912#

*Please **mute** your phone once you
have been connected to the call by entering 61#.
Enter 60# to un-mute your phone for comments/questions.*

FEDERAL

Federal Update (O'Rourke)

Congress was in recess this week and will return to Washington June 3.

Congress continues to focus on the issue of surprise billing with several bills and bipartisan proposals put forth by key members of Congress. CHA submitted [comments](#) on the draft legislation released by House Energy & Commerce leaders Frank Pallone (D-NJ) and Greg Walden (R-OR).

CHA will continue to work with members of the California congressional delegation to oppose a default rate and support private negotiations between payers and providers while protecting patients.

For additional information, contact Anne O'Rourke at (202) 488-4494 or aorourke@calhospital.org.

Regulatory Update (Keefe)

CHA issued a [summary](#) of the federal fiscal year 2020 inpatient prospective payment system proposed rule. CHA will host a member forum on the proposed rule June 11 at 10 a.m. (PT). Please [register online](#) by June 10 at noon (PT).

CHA submitted [comments](#) on two proposed rules — one from the Centers for Medicare & Medicaid Services (CMS) and the other from the Office of the National Coordinator for Health Information Technology (ONC) — intended to improve the interoperability of health information. Comments are due to CMS and ONC June 3 by 2 p.m. (PT).

For additional information, contact Alyssa Keefe at (202) 488-4688 or akeefe@calhospital.org.

STATE

Legislative Update (Scott)

This week, bills that passed their respective appropriations committees went to the floor for a vote by their whole house; legislative activity consisted of all-day floor sessions. Legislation that did not pass out of its house of origin by today's deadline, May 31, is finished for the year.

CHA-opposed **AB 1611** (Chiu, D-San Francisco) passed the Assembly on May 30 with a vote of 48 – 9. AB 1611 addresses hospital “surprise” billing and would prohibit hospitals — as a condition of their licensure — from balance billing all patients, including those with federally regulated coverage. The bill would establish a default rate for non-contracted emergency and post-stabilization services at the average contracted rate paid by the specific health insurer for the same or similar services in the same geographic area or the reasonable and customary value of hospital services, including prevailing provider rates charged and paid by both commercial and governmental payers in the general geographic area in which the services were rendered.

Legislative action for key bills:

- CHA-opposed, unless amended **AB 962** (Burke, D-Inglewood) would require hospitals with operating expenses of \$25 million or more to annually submit a report to the Office of Statewide Health Planning and Development on their minority; women; lesbian, gay, bisexual, transgender (LGBT); and veteran-owned business procurement efforts. Requires the report to include the hospital's supplier diversity policy statement, outreach and communications strategy, and information about which procurements are made to minority, women, LGBT, and veteran-owned businesses. Would impose civil penalties for a failure to submit the report. Passed the full Assembly May 29.
- CHA-opposed **AB 1014** (O'Donnell, D-Long Beach) would require a hospital to provide at least 180 days' notice before reducing or eliminating the level of emergency services, closing the facility, or closing or relocating a supplemental service. Passed the full Assembly May 13. Will be heard in Senate Health Committee June 5.
- CHA-sponsored **SB 758** (Portantino, D-La Cañada Flintridge) would require hospitals to submit a report to the Office of Statewide Health Planning and Development (OSHPD) describing the services provided in each building of the acute care inpatient hospital, in order to help OSHPD implement existing seismic safety regulations and standards. Passed the full Senate May 23.

Information on additional priority health care-related bills is available at www.calhospital.org/legislative-update.