



# Medical Society of the State of New York (MSSNY)

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## 2020-21 Budget Priorities

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### MSSNY Supports



#### Ban on Flavored Vaping Products

- Ban on sale or distribution of e-cigarettes or vapor products that have a characterizing flavor; ban sale of tobacco products in all pharmacies.
- Restrict advertisements for vapor products and require manufacturers to disclose to Department of Health (DOH) commissioner and the public information regarding the ingredients, by-products, or contaminants in vapor products.



#### Regulation of Pharmaceutical Benefit Managers (PBMs)

- Require PBMs to disclose financial incentives they receive to the Department of Financial Services (DFS).



#### Reduction of Administrative Hurdles

- Create an administrative simplification work group to address health insurance hassles.
- Creation of a claims denial transparency report.



#### Addressing Exorbitant Medical Liability Costs

- Continue to fund the Excess Medical Malpractice Insurance Program, BUT objects to the lack of historical language to continue program.
- Significantly reduce the interest rate on medical malpractice and other court judgements from 9% to a market-based rate.



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### MSSNY Opposes



#### Unreasonable Bypassing of Due Process for Physicians

- Expands ability of Commissioner of Health to notify the public that a physician is under investigation with virtually no limits on that power and makes it far easier for the commissioner to bypass existing due process protections by “summarily suspending” a physician’s license during an investigation based on a superficial finding that a physician is a “risk”. Existing state laws already give regulators the necessary tools to protect patients when a physician or physician assistant is considered a public health threat.
- Expands the information on the physician profile to include office hours, whether accepting new patients, and mandatory completion of a workforce survey with an undefined number of questions.



#### Unfair Cuts to Medicaid

- The previously imposed across the board 1% Medicaid cut and potentially far steeper cuts to meet a \$2.5 Billion savings target. New York’s Medicaid physician payment is already among the lowest in the country, and not a cause of our deficit.



#### Legalization of Recreational Marijuana

- Legalizing, regulating and taxing the production, distribution, and sale of recreational or “adult-use” marijuana.



#### Expanding Scope-of-Practice for Pharmacists and Nurse Practitioners

- Expanding the list of adult immunizations that can be provided by pharmacists to all those recommended by the Advisory Committee on Immunization Practices (ACIP), now and in the future.
- Expanding the existing physician-pharmacist collaborative drug therapy program to include nurse practitioners and physician assistants. Would eliminate the requirement that the protocol be specific to each patient, and permit pharmacists to “prescribe”.