

## Colorado Pain Society Newsletter #6 – Legislative Update

**The Colorado Pain Society has a strong interest in advocacy for our patients and members.**

Our advocacy efforts can take on many forms, including provider and public education, patient and/or provider letter writing campaigns (legislators, insurance commissioner, others), or testimony at legislative hearings, often in collaboration with other professional societies such as the Colorado Medical Society and Colorado Consortium for Prescription Drug Abuse Prevention. As we are now several weeks into the 2024 legislative session, **I would like to update you on a few timely and important legislative topics.**

### **IMPORTANT CALL TO ACTION REGARDING PRIOR AUTHORIZATION AND LIABILITY CAPS!!!**

There are very important healthcare related legislative initiatives and counterinitiatives in motion that will greatly impact our patients and practices. I would like to highlight two of these, those being prior authorization and medical liability caps.

There is an **urgent call to action regarding liability caps and professional review confidentiality**, both of which are under serious attack by well-funded backers. Please see CMS's Policy Pulse (attached), "Liability caps and professional review confidentiality under attack" and the COPIC Update (attached), "Introduced Legislation Updating Caps on Noneconomic Damages". Please take the time to read these brief updates and **act now**:

**Send a check today** made out to the Colorado Medical Society with **Liability Defense Fund** written in the memo section, to 7351 E. Lowry Blvd, Suite 110, Denver, CO 80230. If you prefer, call the CMS offices at 720-859-1001 Monday through Friday between 8:30 am and 5:00 pm to make a secure contribution using your credit card.

Recognizing the negative impact that inordinate **prior authorization** practices by payors have on the well-being of our patients through unnecessary delays in care provision brought about by the current prior authorization climate, legislative champions Rep. Shannon Bird (D), Rep. Lisa Frizell (R), Sen. Dylan Roberts (D) and Sen. Barbara Kirkmeyer (R) – along with 54 other co-sponsors – **introduced a bill (HB24-1149)** that aims to remove unnecessary burdens to care. **You can make a difference by personally, or having your patients, document instances in which PA delays have had a negative impact on care and well-being by going to: [Health Can't Wait Colorado](#).**

### **CPS testifies in front of The Opioid and Other Substance Use Disorders Study Committee**

The Opioid and Other Substance Use Disorders Study Committee (Interim Committee) met this past summer and introduced 4 bills for consideration at the current legislative session. The "Consortium" has produced a legislative update (attached) which summarizes these bills, and which contains links to the Study Committee site where you can find these bills. CPS testified at

this past summer's hearings on behalf of the need to improve accessibility to psychological and psychiatric care for our pain patients. We outlined the need for better reimbursement for these services and the promotion and education of pain specific behavioral health approaches. Although we did not have all that we hoped for retained within the "Treatment" bill, it did prompt the inclusion of a psychology specific network adequacy measure:

Section 3 [of the "Treatment" bill] requires the commissioner of insurance to:

- Review the network adequacy rules promulgated by the commissioner and the division of insurance to ensure that the rules are sufficient to require each carrier to maintain an adequate number of substance use disorder treatment providers in underserved areas and to maintain an adequate number of behavioral health-care providers in all communities; and
- Report the rule review findings to the opioid and other substance use disorders study committee, including any recommended rule changes.

**You may track all healthcare related bills at Colorado Medical Society's bill tracker site:**

<https://www.cms.org/advocacy/bill-tracker>.

**Gain insight into medical legislation and take action at COPIC's legislative action center:**

<https://www.callcopic.com/resource-center/legislative-action-center>

**Sandra Fish wrote an article for The Colorado Sun describing the current legislative climate as well as providing information and links on how to get involved with the legislative process, including observing or testifying at legislative hearings.**

<https://coloradosun.com/2024/01/10/2024-legislative-session-get-involved/>

**To find and contact your local state or federal legislators go to: <https://www.usa.gov/elected-officials>**