



# Access to Care in the State of Louisiana & Recent Legislation

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Developed by Dr. Jennifer Lemoine, LANP Health Policy Chair &  
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for the

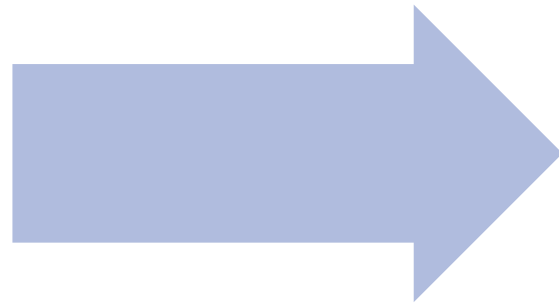
LA-RHC 2022 Annual Conference

November 3, 2022

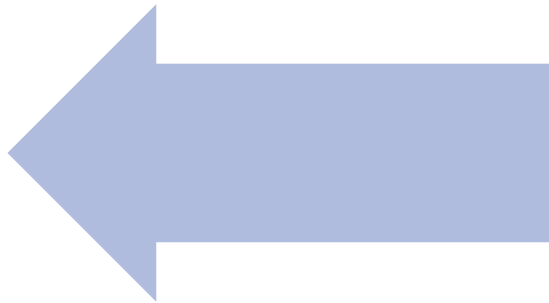
# Objectives

Discuss Access to  
Care

Review elements of  
annual sessions of  
the Louisiana State  
Legislature.



Discuss recent  
legislative efforts  
related to access to  
care, nursing  
practice/workforce,  
& other relevant  
health care issues.



# Icebreaker

The structure of the 2023 Louisiana State Legislative session differs from that of the 2022 session. Select all that apply.

- a) An unlimited number of bills can be dropped by each legislator
- 2023 is a fiscal session versus the 2022 regular session
- c) Good policy will prevail over politics
- d) Only fiscal bills will move through the chambers
- Bill authorship is limited to 5 bills other than fiscal bills
- f) It is unlikely Jenn & Kathy will make several trips to the Capitol

# Louisiana: Two Types of Annual Sessions

## 2022 Session (General or Regular)

Even years – scope of session is general in nature without subject matter restrictions

Cannot vote to introduce new taxes or increase existing taxes

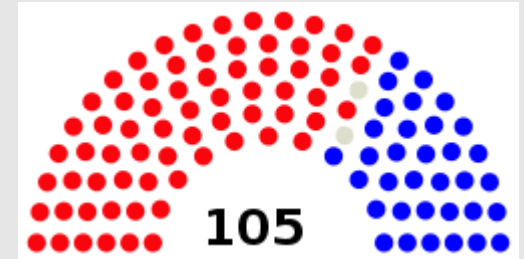
## 2023 Session (Limited Scope or Fiscal)

- Odd years - narrow focus on **revenue or fiscal matters** (subject matter restrictions)
- Individual legislators may introduce a **maximum of 5 “general” subject matter** bills by the prefile date

# Legislative Bodies (Members Serve 4-year terms)

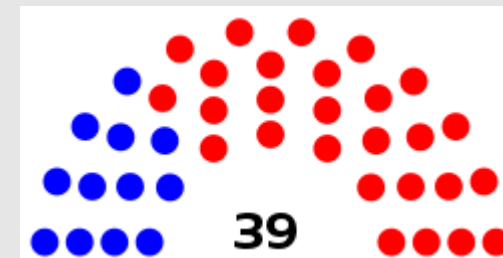
- **House of Representatives**

- 105 members
- All bills that have to do with \$\$ matters must start in the House of Representatives



- **Senate**

- 39 members
- Senators confirm appointments for state level jobs



# Examples of Legislative Committees

House of Representatives	Senate
<b>Administration of Criminal Justice</b> Vice Chair: Tony Bacala	<b>Judiciary Committees</b> Judiciary C Committee Chair: Franklin Foil
<b>Health and Welfare</b> Chair: Larry Bagley Common issues: Abortion rights, LGBTQ rights	<b>Health and Welfare</b> Chair: Fred H. Mills, Jr. Common Issues: Abortion rights, LGBTQ rights
<b>House and Government Affairs</b> Chair: John Stefanski Common issues: Voting rights	<b>Senate and Government Affairs</b> Chair: Sharon Hewitt Common issues: Voting rights
<b>House Education</b> Chair: Lance Harris Common issues: Discrimination in schools, school discipline, critical race theory/curriculum, education transparency	<b>Senate Education</b> Chair: Cleo Fields Common issues: Discrimination in schools, school discipline, critical race theory/curriculum, education transparency





Access to Care

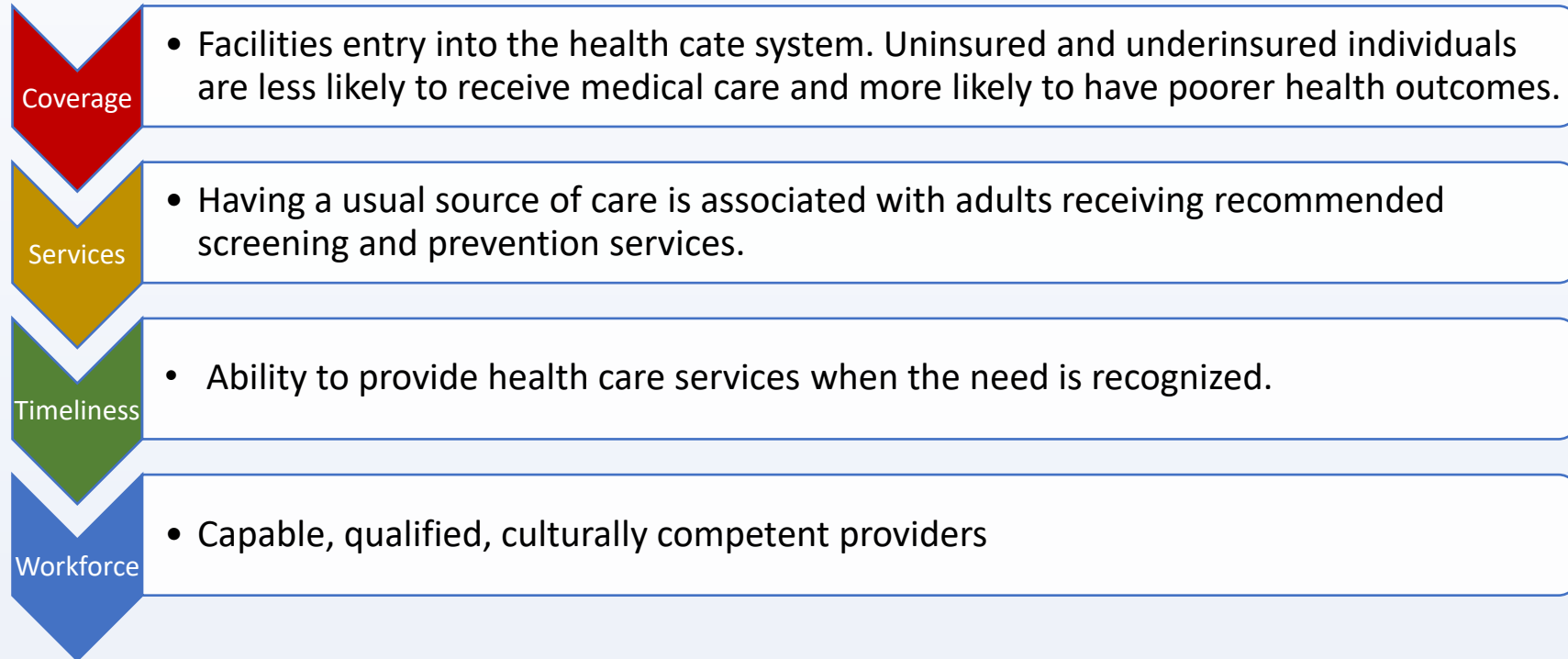
# Define Access to Care

- **Access** to health **care** means having "the timely use of personal **health services** to achieve the best health outcomes" (IOM, 1993).
- Facilitating access is concerned with helping people to command appropriate health care resources in order to preserve or improve their health.
- There are **4 components of Access to Care** (Healthy People, 2020).





# 4 Components of Access to Care (Healthy People, 2020)



# Uninsured People Are:

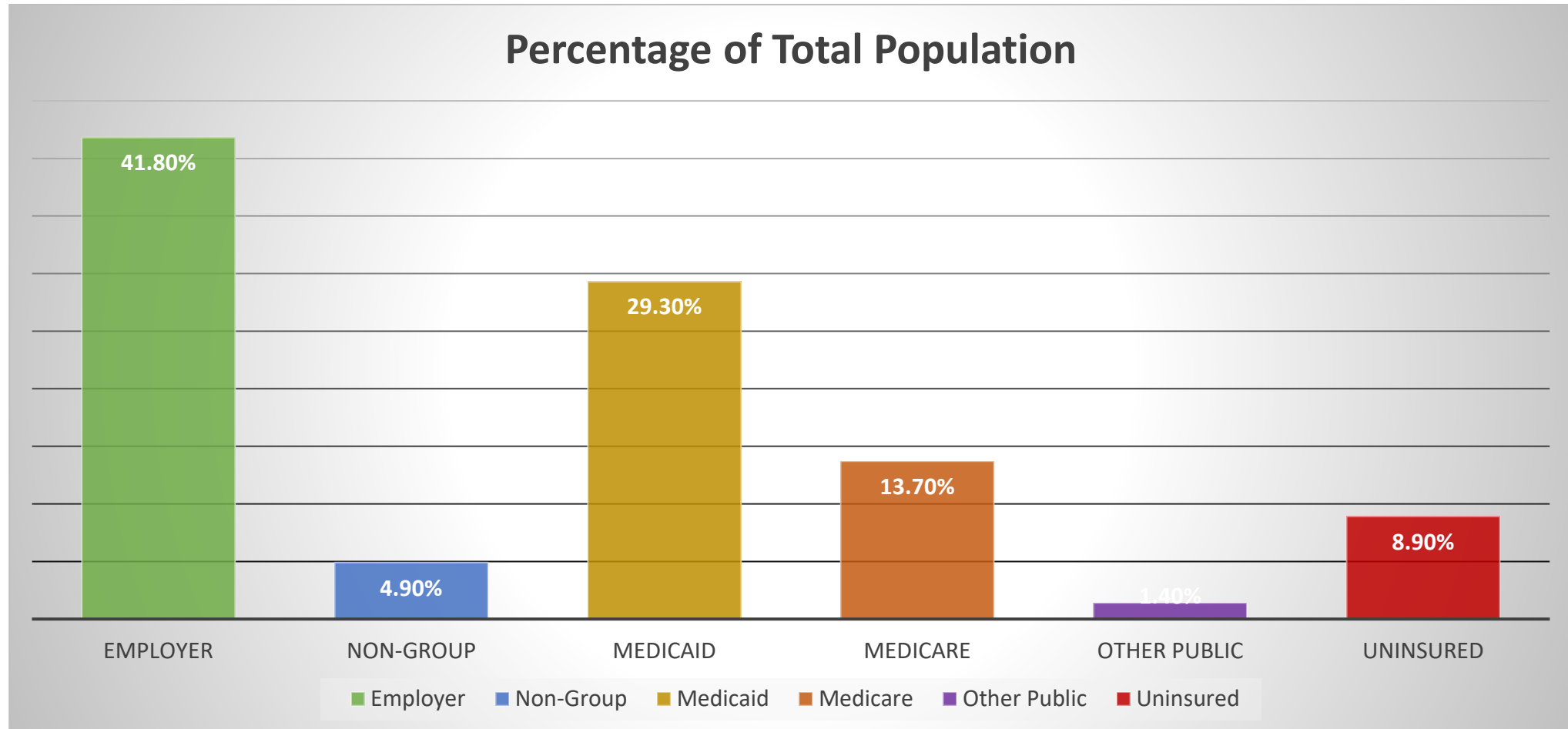
## **Less likely to:**

- receive prompt medical care
- have a usual source of primary care
- receive preventive services/screenings
- have culturally competent care

## **More likely to:**

- have delays in diagnosing
- have poor health outcomes
- have higher costs associated with healthcare
- experience health inequity
- die prematurely

# 2019 Louisiana COVERAGE Statistics –



# Healthy Louisiana, the state's Medicaid expansion program, covers 732,000 low-income adults as of 2022

<b>Louisiana</b>	<b>has</b>	<b>accepted federal Medicaid expansion</b>
1,745,824		Number of Louisianans covered by Medicaid/CHIP as of May 2021
726,037		Increase in the number of Louisianans covered by Medicaid/CHIP fall 2013 to May 2021
50%		Reduction in the uninsured rate from 2010 to 2019
71%		Increase in total Medicaid/CHIP enrollment in Louisiana since late 2013

# Let's do the Math...

1.8 million on Medicaid



4.6 million total residents



**39%**

# The real problem

HEALTH  
COVERAGE



HEALTH  
CARE

# Barriers to Coverage & Services

## Coverage

- Limited providers who accept Medicaid, Medicare, TriCare, etc.
- Prior Authorization
- Reimbursement disparities
- Insurance companies that refuse to empanel APRN providers

## Services

- 95% of Louisiana is designated as a Health Professional Shortage Area (HPSA) for primary care providers
- 100% of Louisiana is designated as HPSA for mental health services
- Lack of health care providers (physicians, RNs, APRNs, PAs, etc.)
- Local restrictions (i.e., broadband services)
- Telehealth regulations
- Restricted regulatory practice laws for APRNs



**DESPITE HEALTH CARE COVERAGE,  
MANY PATIENTS IN LOUISIANA STILL  
DO NOT HAVE A DESIGNATED  
PRIMARY CARE PROVIDER**



# Half Of Adults Report Putting Off Care Due To Costs; Some Say Their Conditions Got Worse As A Result Of Skipping Care

Percent who say they or a family member living in their household **did each of the following in the past 12 months because of the cost:**

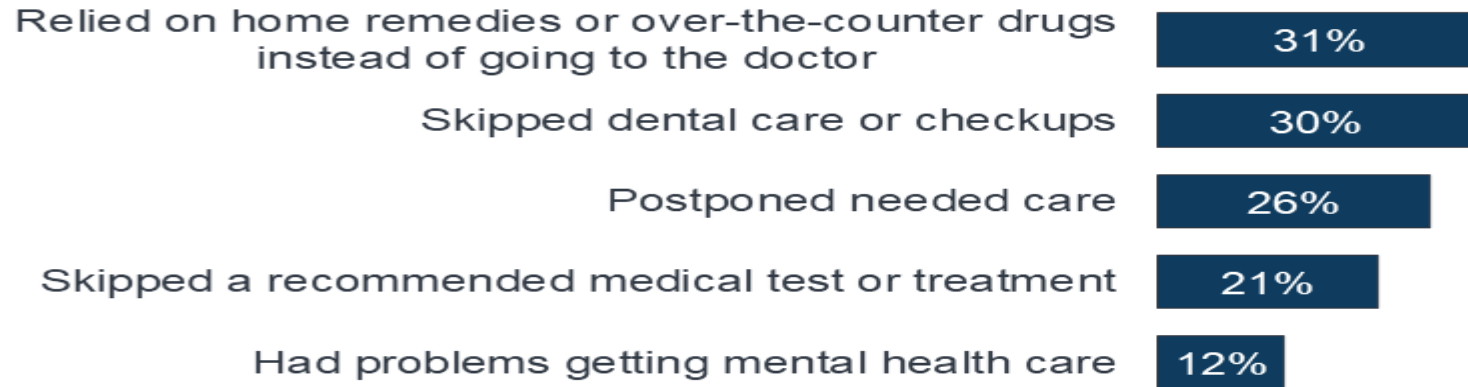
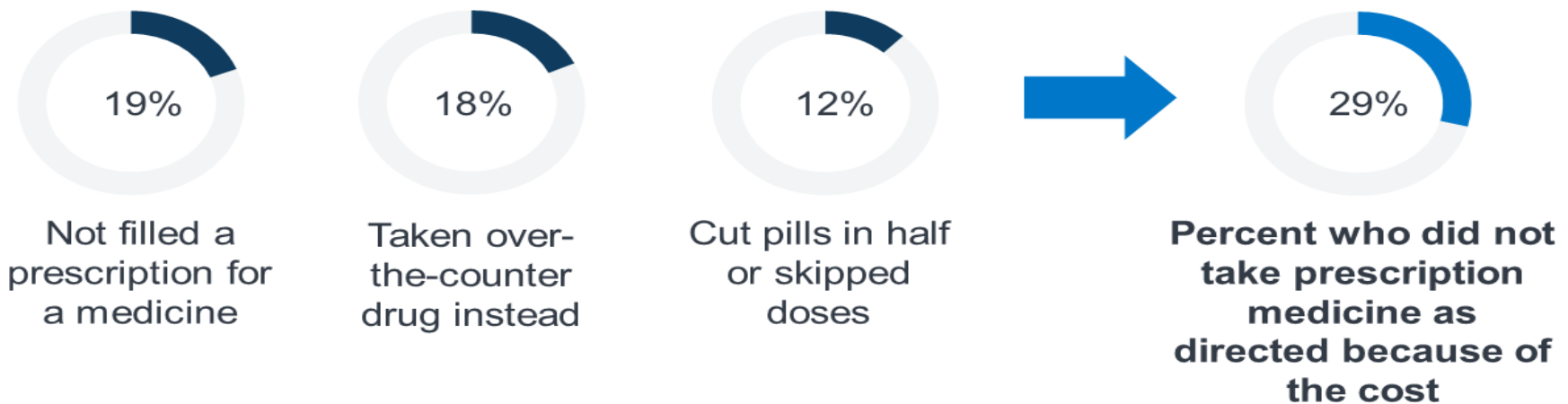


Figure 7

## Three In Ten Say They Haven't Taken Their Medicine As Prescribed Due To Costs

Percent who say they have done the following in the past 12 months instead of getting a prescription filled because of the cost:



Kaiser Family Foundation (2018)

# Barriers to COVERAGE



- Limited providers who accept Medicaid, Medicare, TriCare, etc.
- Insurance companies that refuse to empanel APRN providers
- Limited coverage plans, make it difficult for patients to:
  - Pay for medications, diagnostics, labs
  - Access a provider within their community
  - Remain with their usual primary care provider
- Prior authorizations
- Reimbursement disparities

# Barriers to SERVICES



- Restricted regulatory practice laws for APRNs
- Lack of providers (MDs, RNs, APRNs)
- Lack of culturally competent care
- Inability to get preventive services
- Lack of adequate insurance coverage/high cost of care
- Telehealth regulations
- Local restrictions (i.e. broadband services)
- Scope of practice restrictions/facility restrictions
  - i.e. disability form, school physicals, concussion clearance



The health care system's ability to provide health care quickly after a need is recognized.

Measures of timeliness include:

- Availability of appointments and care
- Time spent waiting in offices and emergency departments (EDs)

# Delay in services lead to:

- Higher treatment costs
- Increased hospitalizations
- Increased complications
- Decreased patient satisfaction
- Increased number of patients who leave before being seen
- Clinically significant delays in care

*Patients are frequently seen in the ER for conditions that could have been handled outpatient if they had access to care.*

# Timely delivery of appropriate care

**REDUCES  
MORTALITY AND MORBIDITY**

# Barriers to TIMELINESS



- Social Determinants of Health
  - Lack of coverage (i.e. loss of income, debt, medical bills)
  - Lack of services (i.e. geography)
  - Linguistic and cultural competency (i.e. literacy, language, education)
  - Quality of care (i.e. trustworthy, usual care, cultural competent, educated)
- Health inequity
- Lack of choice of provider
  - Surgical Clearance
  - Refusal of MDs to accept NP referrals
- Signature authority restrictions
  - La-POST
  - DNR
  - Death Certificate
    - Death with dignity



- Requires the establishment of a supportive health system infrastructure
- Key elements include:
  - Well-distributed capable and qualified workforce
  - Organizational capacity to support culturally competent services and ongoing improvement efforts
  - Health care safety net for hospital admissions of vulnerable populations

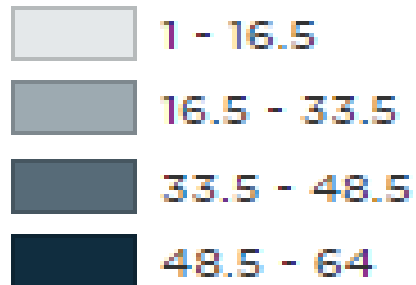


# Louisiana is sick!!

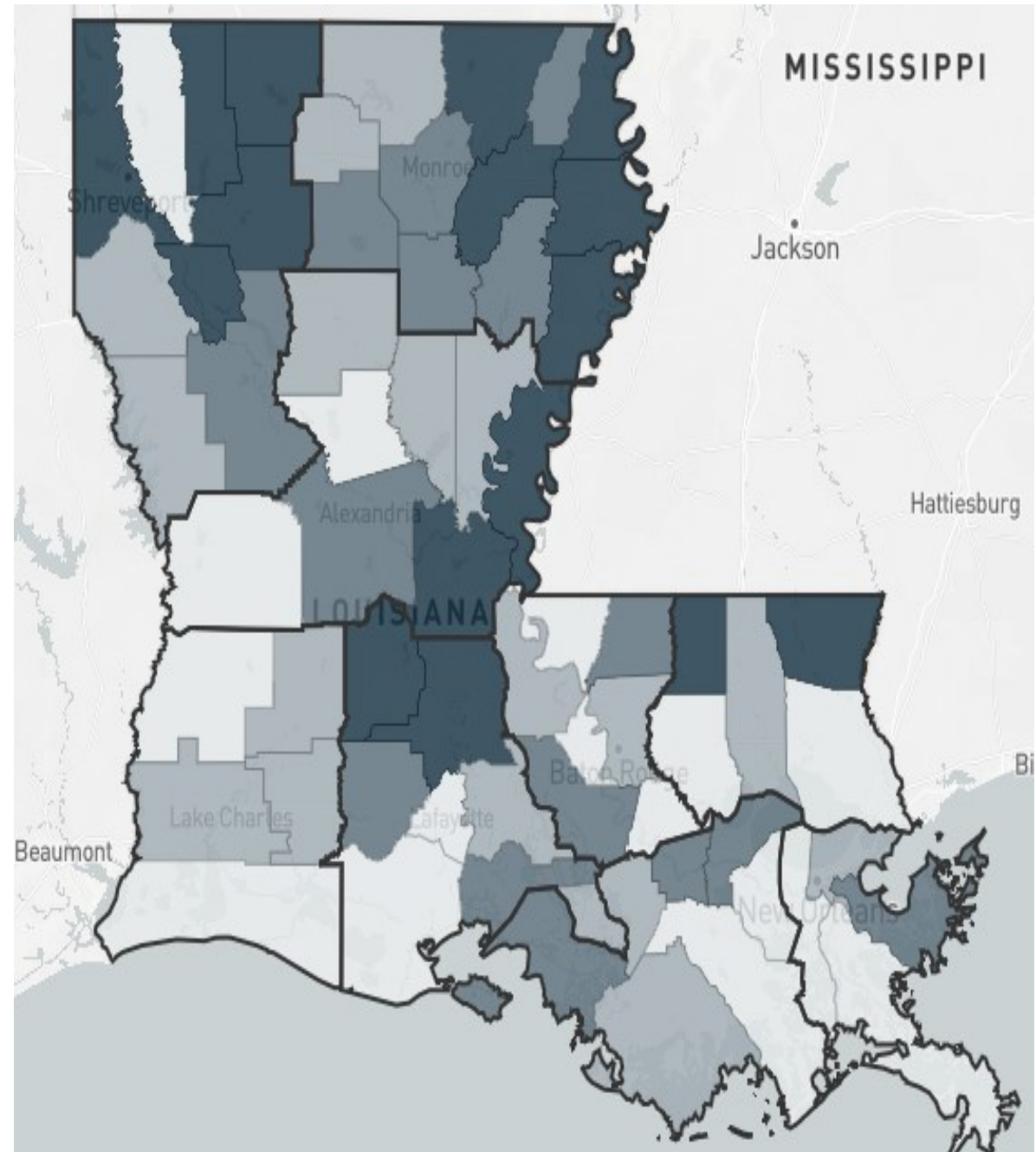
Louisiana ranks **50th** in the country in health indicators

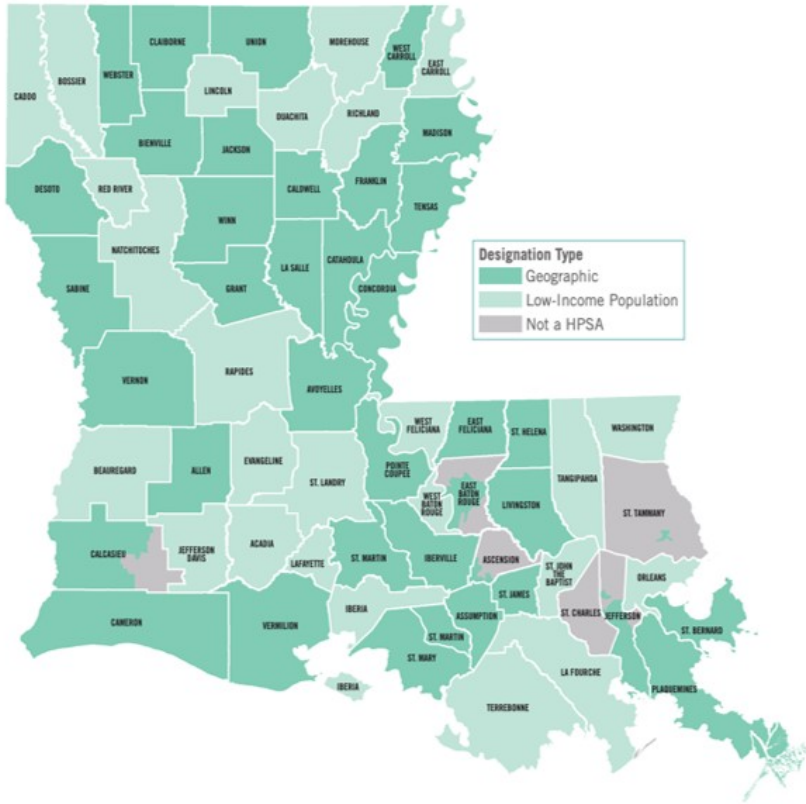
(America's Health Rankings, Dec. 2020)

Rank out of 64, where 1 is best



Ascension Parish #1  
Madison Parish #64





# 2022 Louisiana HPSA Primary Care & Mental Health

(Well-Ahead, 2022)

HPSA Primary Care – 84% in 2012

HPSA Primary Care – 95% in 2022

HPSA Mental Health 100%

# LOUISIANA'S MATERNAL AND INFANT MORTALITY RATES

## Louisiana:

### Maternal Mortality



### Infant Mortality

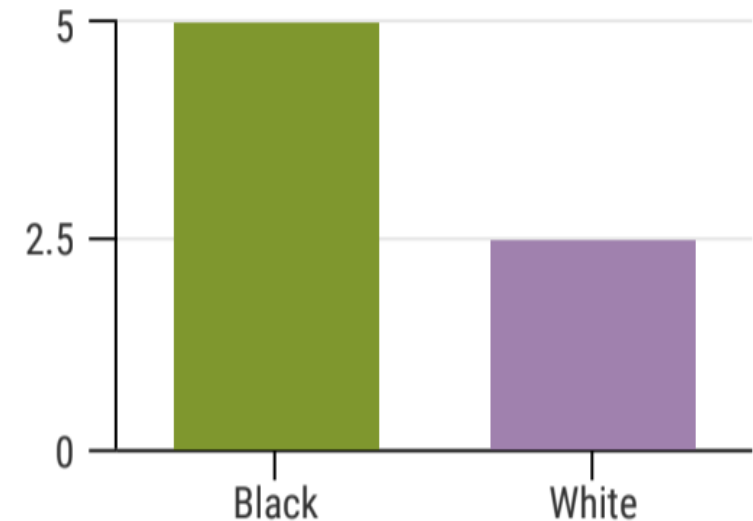


### Socially Determined Racial Disparities:

Rates of maternal mortality are **4x** higher in the Black population than the White population



Rates of infant mortality are **2.5x** higher in the Black population than the White population



# Nowhere to Go: Maternity Care Deserts Report 2022

(March of Dimes, 2022)

## U.S.

- **2.2 million women** of childbearing age in a maternity care deserts
- **36%** of all U.S. counties are designated as maternity care deserts

## Louisiana

- **31.3%** of parishes within LA are designated as **maternity care deserts**
- 26.6% of parishes are designated as **low or moderate**, no full, access to care

## Designations

- **Maternity care desert**
  - 0 hospitals/birth centers offering obstetric care
  - 0 obstetric providers (MD, CNM) per 10,000 births
- **Low or moderate access**
  - < 2 hospitals, etc.
  - < 60/10,000 OB providers
- **Full access**
  - > 2 hospitals, etc.
  - $\geq$  60/10,000 OB providers



# Legislation Related to Access to Care

2022 Louisiana State Legislative Session

# SB 116 Office on Women's Health

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- Creates an office on women's health and community health within the Louisiana Department of Health to lead, consolidate, and coordinate efforts with the department to improve women's health outcomes through policy, education, evidence-based practices, programs, & services
- Effective 6-18-2022

# HB 784 Perinatal Mood Disorders Screening

Provides that a **healthcare provider** who is providing pediatric care to an infant **shall screen the caregiver for postpartum depression or related mental health disorders** if he believes in the exercise of his professional judgment that such screening would be in the best interest of the patient.

Requires the LA Dept. of Health office, in collaboration with Medicaid managed care organizations, to **develop network adequacy standards for treatment of pregnant and postpartum women** with depression or related mental health disorders and substance use disorders.

Effective 8/1/2022



# SB 112 Prior Authorization Requirements

Every health insurer authorized to conduct business in the state shall implement & maintain a program that allows for the selective application of *reducing prior authorization requirements* that are based on the stratification of healthcare providers' performance & adherence to evidence-based medicine

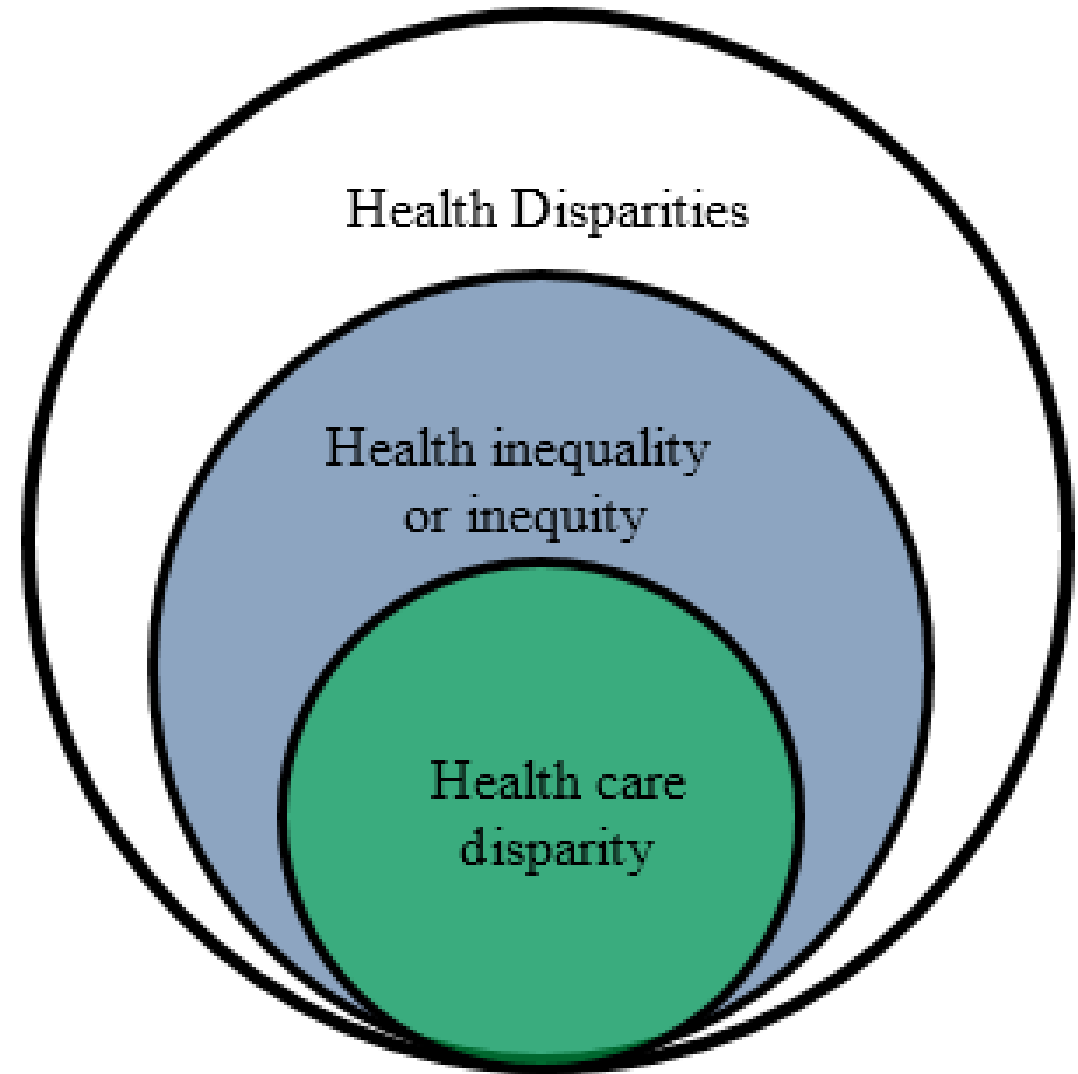
Intended to **promote quality, affordable health care, and reduce unnecessary administrative burdens** for both the health insurance issuer and the healthcare provider

Effective 6/16/2022



# Health Inequities & Disparities

- HCR 44 creates and provides for the Health Inequities & Disparities in Rural Areas Task Force
- Primary issue of disparities in rural LA is **access to care**
- Most recent meeting held on 10/27
- Open to the public
- Recommendations and a call to action due to the House H&W Committee by March 1, 2023



# Timeout

The final adjournment of the legislative session is referred to as

- a) Closing
- b) Cutoff date
- c) Sine Die
- d) Vincere

(see-nay-dee-ay or in LA sigh-knee die)



# Legislation Related to Nursing Practice or Workforce

2022 Louisiana State Legislative Session

# HB 190 Medical Marijuana

- Authorizes certain nurse practitioners to recommend medical marijuana to patients
- Effective 8/1/2022
- **What might be some concerns with the passage of this bill?**
  - APRNs cannot treat chronic pain
  - Medical marijuana is used to treat chronic pain when other measures have been exhausted
  - Will require a change in LSBN Rules & Regulations for APRNs

# Healthcare Workplace Violence

HB 312 enacts reforms to address workplace violence in healthcare settings

HCR 36 continues the Healthcare Workplace violence task force created by HCR 121 of the 2021 RS

- Effective 8/1/2022

# Healthcare Workforce and Workforce Funding

## Sharon Hewitt (R)

- **SB496:** Provides relative to healthcare facility patient safety policies.
  - SAFE HARBOR for Nurses (SB195)
  - **Withdrawn**
- **SR129:** Requests the Nursing Supply and Demand Council to study statewide nurse retention

## With Mary DuBuisson (R)

- **SB 194** Provide relative to the membership of the Louisiana Health Works Commission (Adds a member from LSNA) to the commission

# HB 226 Healthcare Workforce Training Law

Language and intent unclear

Failed to pass

## **House Resolution 155**

- Forms a study group to evaluate options and make recommendations for reforming healthcare workforce training and development in LA

# HR 155 Study Group

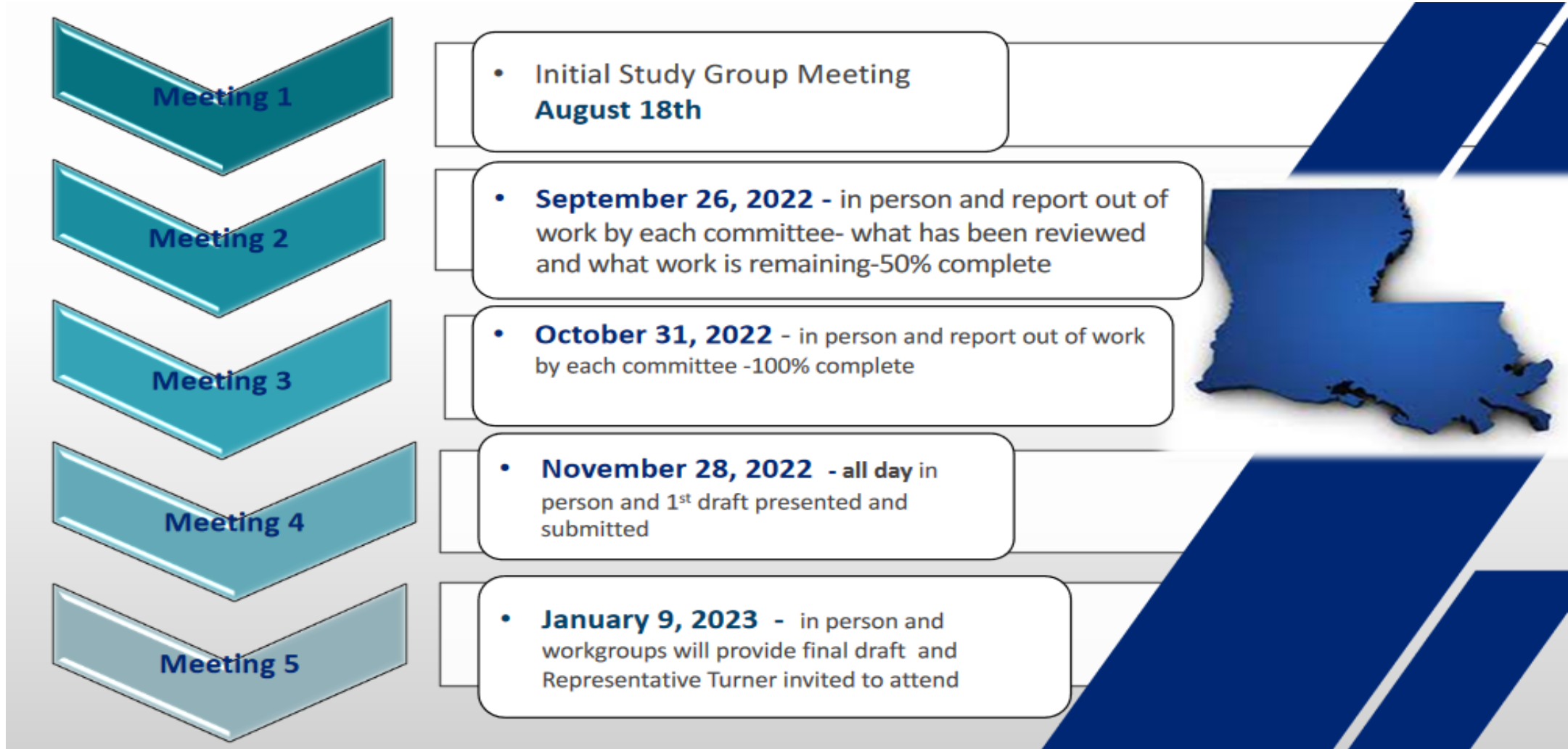
- ...evaluate options & make recommendations for reforming healthcare workforce training & development....report its findings concerning these matters to the House of Representatives no later than 30 days prior (3/10/2023) to the convening of the 2023 session (4/10/2023)
  - 11 members, 12 identified priorities
  - 3 workgroups
    - Funding
    - Workforce
    - Education & Licensure/Credentialing Boards



# HR 155 Study Group Members

Organization	Designee	Title	Designee E-mail Address
LDH	Nicole Coarsey	Primary Care Officer, LDH, Office of Public Health	<a href="mailto:Nicole.Coarsey@LA.GOV">Nicole.Coarsey@LA.GOV</a>
LCTCS	Larissa Steib	Chancellor, Delgado Community College	<a href="mailto:lsteib@dcc.edu">lsteib@dcc.edu</a>
LSU	Demetrius Porche	Dean and Professor of Nursing, LSU Health New Orleans	<a href="mailto:dporch@lsuhsc.edu">dporch@lsuhsc.edu</a>
Southern	Kelly D. Smith	Chair and Associate Professor of Nursing, Southern University at New Orleans	<a href="mailto:ksmith@suno.edu">ksmith@suno.edu</a>
University of Louisiana LAICU	Cami Geisman Tina Holland	Vice President for External Affairs & Chief of Staff, UL System	<a href="mailto:Cami.geisman@ulsystem.edu">Cami.geisman@ulsystem.edu</a> <a href="mailto:Tina.Holland@franu.edu">Tina.Holland@franu.edu</a>
Louisiana Hospital Association	Michele Sutton	President, North Oaks Hospital System	<a href="mailto:suttonm@northoaks.org">suttonm@northoaks.org</a>
Louisiana State Nurses Association	Ahnyel Burkes	Director of Health and Policy, Louisiana State Nurses Association	<a href="mailto:Amjburkes@gmail.com">Amjburkes@gmail.com</a>
Louisiana State Medical Society	Jeff Williams	Executive Vice President & CEO, LSMS	<a href="mailto:jeff@lsms.org">jeff@lsms.org</a>
Louisiana Association of Nurse Practitioners	Jennifer Lemoine	Professor and Interim Associate Dean, College of Nursing and Health Science, UL Lafayette, Health Policy Chair, LANP	<a href="mailto:jennifer.lemoine@louisiana.edu">jennifer.lemoine@louisiana.edu</a>
Louisiana Nursing Home Association	Mark Berger	Executive Director	<a href="mailto:mberger@lnha.org">mberger@lnha.org</a>

# HR 155 Timeline (open to the public)



# Timeout

Which denotes an amendment to a bill that is not related to the bill author's intent as introduced?

- a) Beachcomber
- b) Commuter
- c) Hitchhiker
- d) Loafer



# Legislation Related to Other Health Care Issues

2022 Louisiana State Legislative Session

# HB 278 Psychiatric Collaborative Care Model

- Provides for health coverage regarding a psychiatric collaborative care model
- Only applies to private health insurance and does not include Medicaid coverage
- Original language included physicians only
  - **Amended to include primary care team (i.e., PMHNP)**
- Effective 8/1/2022

# HB 557

## Dispensing of Contraceptives

- Requires Medicaid plans to reimburse for a **6-month** supply of contraceptive drugs to be **dispensed all at once if requested**
  - Must be the same drug prescribed for the last 6 consecutive months
- Requires Medicaid plans to allow the insured to receive the contraceptive drugs **onsite at family practice clinics**, if available
  - Must follow dispensing laws for the profession
  - Does **not apply** to any drug, medicine, or other substance prescribed, dispensed, or distributed that is intended to induce an abortion
- Effective 8/2/2022

# Timeout

Which announcement is made by the presiding officer that a vote is needed and that a member should record their position on a matter by pushing the “yes” or “no” button to vote?

- a) Place your vote now
- b) Roll call to vote
- c) Vote to consider – yes or no
- Machine is open – vote your machine

- Provides relative to screening of children for autism spectrum disorder
- Original language included physicians only
  - **Amended to include primary care provider who performs early and periodic screening, diagnostic and treatment prevention visits during well visits**
  - **Also limits liability of provider**
- Effective 8/1/2022

## HB 827 Autism Screening



# SB 257 Continuous Glucose Monitor

Requires the **LA Medicaid** program to provide coverage for a continuous glucose monitor

- Any type of diabetes with the use of insulin more than 2 X daily or evidence of level 2 or level 3 hypoglycemia OR
- Evidence of glycogen storage disease type 1a

Patient must attend regular follow-up visits **every 6 months**

Effective 8/1/2022



# Timeout

Which best describes a proposal to change (amend) or repeal existing provisions of or to add new provisions to the constitution?

- a) Concurrent resolution
- Joint resolution
- c) Simple resolution
- d) Veto resolution

What's on  
the Horizon  
for 2023??



# Upcoming Event...

2023 Session Opens at noon on Monday, 4/10/2023 with final adjournment no later than 6:00 pm on Thursday, June 8, 2023

# References

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- Well-Ahead (2022). *Health professional shortage areas*. <https://wellaheadla.com/healthcare-access/health-professional-shortage-areas/>



Thank you for  
your time,  
attention, and  
participation!