



## 2021-2022 Pennsylvania Osteopathic Medical Association (POMA) Public Policy Platform

### Pennsylvania DOs

The Pennsylvania Osteopathic Medical Association (POMA) represents all Osteopathic physicians and their patients throughout the Commonwealth of Pennsylvania. Doctors of Osteopathic Medicine, or DOs, are fully licensed physicians who practice in all areas of medicine. Emphasizing a whole-person approach to treatment and care, DOs are trained to listen and partner with their patients to help them get healthy and stay well.

DOs receive special training in the ways the musculoskeletal system, affects the body. By combining this knowledge with the latest advances in medical science, they offer patients the most comprehensive care available in medicine today.

Osteopathic physicians focus on prevention, tuning into how a patient's lifestyle and environment can impact their wellbeing. DOs strive to help their patients be truly healthy in mind, body and spirit — not just free of symptoms.

### DO Wellness Means Better Patient Care

The COVID-19 pandemic has added to the already high stress levels of DOs in Pennsylvania. In fact, most POMA members when asked, shared that physician stress, mental health and quality of life were their most critical challenges of 2020. DOs are great at taking care of Pennsylvania patients, but can find it difficult to make time to care for themselves given the demands of their practice. For these reasons, POMA advocates to alleviate the unnecessary practice stressors that serve as barriers between a DO and his or her patients.

### DO Partnership with Lawmakers and Policy Makers

In order for Pennsylvania DOs to continue their good work treating patients in Pennsylvania, POMA partners with legislators and policy makers to coordinate efforts towards creating a physician practice landscape that is conducive to strong quality patient care. This means eliminating or not creating practice barriers that do not serve to enhance patient care including well-intended, but sometimes onerous insurance requirements and practice mandates. Protecting the DO-patient relationship by making well-informed decisions on scope of practice

decisions is another strong point of which POMA advocates. And, by protecting physicians from exposure to liability and economic damages for providing evidence-based patient care.

## POMA Positioning

### COVID-19

While we are seeing some light at the end of the tunnel due to the marvels of modern medicine and the development of vaccines against COVID-19, the reality is it will remain the backdrop and impetus for many healthcare policy changes undertaken by the Pennsylvania General Assembly and policy makers in the new legislative session. For this reason, many of POMA's public policy issues will likely be linked to COVID-19.

**POMA Supports** working with the General Assembly, the Wolf Administration and all stakeholders on post-COVID 19 review and changes in legislation or regulation that may be needed.

- Decisions made during the pandemic were made on the best information available at the time.
- What have we learned and how can we make it better for next time?
- What can DOs share with members of the General Assembly and Administration that will help to inform future decisions based on the facts available?
- POMA looks forward to this dialogue and being part of the solution moving forward.

**POMA Opposes** legislation that would continue all changes in healthcare policy made by Governor Wolf during the Emergency Declaration Order.

- These positions were taken as temporary policy changes during an unprecedented time.
- Each healthcare policy change made by Governor Wolf should be judged on its individual merits.
- The General Assembly needs to make the law, not concede to the Governor's action.

### Scope of Practice

DOs throughout the Commonwealth work with most all healthcare professionals on a daily basis treating patients as a team. DOs respect and rely on their talents and expertise treating patients in a team-focused environment. POMA will continue to work in good faith with legislators, policy makers and pertinent stakeholders towards modernizing healthcare professionals respective scope of practices in the Commonwealth. However, POMA does not support the independent practice of medicine by non-physician providers. POMA believes that the patient should be the center of the care team, with the physician leading the team.

**POMA Supports** legislation that was negotiated and agreed to by the Pennsylvania Coalition of Nurse Practitioners in the last legislative session that would establish a 6-year pilot program for

certified registered nurse partitioners (CRNPs) to practice in health professional shortage areas (HPSAs) without a collaborative agreement.

- ❑ The negotiated agreement provides the CRNPs with exactly what they lobbied for, which is to go to the rural parts of the Commonwealth to provide access to care without a collaborative agreement.
- ❑ The agreement also provides oversight of a committee of two actively practicing CRNPs, a DO and an MD, also in active practice, to guide the pilot program.
- ❑ The agreement includes a rigorous study on the outcomes of the pilot project over the 6-year period and a public report.

## DO Bureaucratic Practice Relief

**POMA Supports** legislation that would reform the process of prior authorization and step therapy for the patient and his or her insurance company.

- ❑ DOs are not advocating that prior authorization or step therapy should be eliminated, but are advocating that patients who need treatment recommended by a physician be processed in a more efficient way so as not to punish patients.
- ❑ DOs support not requiring patients that already went through a step therapy process to repeat the same process, resulting in potential patient health complications and a waste of treatments that have proven not to work on the patient.
- ❑ DOs support streamlining these processes.

**POMA Supports** legislation that ends balance billing by insurers, taking the patient out of the middle, and paying DOs a fair reimbursement for services provided.

**POMA Supports** legislation that would provide structure for telemedicine practices in the Commonwealth and reimburse DOs for patient care rendered.

## Liability and Economic Protections for DOs

DOs are one of these most regulated professions in the state. DOs must know all private insurance carriers and specific products in order to properly bill for the care of their patients. DOs must know all the byzantine laws and regulations for Medicare and Medicaid to treat patients on these public health programs. Although DOs always strive to provide evidence-based quality care to our patients they may be faced with baseless medical liability actions. In the pandemic, these oversight practice regulations and requirements hanging over the head of every practicing DO were magnified because the environment created many unknowns that could have impeded the best practices for treatment. DOs are advocating to protect them from increased liability and pleading with lawmakers and policymakers to not add new burdens that threaten and punish DOs in providing the best care they can for their patients.

**POMA Supports** legislation that would provide liability protection for COVID-19-related treatment for patients.

- Nothing is normal when enduring a pandemic like COVID-19, which is especially true for medical treatment during these dark days.
- DOs support reasonable protections from liability during these times.

**POMA Opposes** legislation that would enact a state False Claims Act to mirror the federal law.

- Under a state false claims act, DOs who treat patients in the Medical Assistance program would be subject to further scrutinization and economic penalties for billing errors.
- DOs DO NOT SUPPORT FRAUD! However, the difference between fraud and innocent billing mistakes over time, should not be equated with one another. This is what can happen with a state false claims act.
- Supporters of the legislation tout it as a fraud fighting mechanism, but the only stakeholder group that supports the legislation are the trial lawyer organizations because it will open another door of “open-season” on DOs.

## **Public Health**

DOs are conscientious physicians who recognize and understand the value that public health efforts can have on patient care. This is why POMA supports legislation and policy that serves to further public health in the Commonwealth. POMA also opposes legislative efforts that would interfere with the physician-patient relationship and the physicians’ ability to provide evidence-based information and care to their patients.

**POMA Supports** the strengthening of two-way communication between physicians and providers who administer vaccinations and medications to patients.

- Pharmacists are currently required to report back to a patient’s physician when they provide an immunization to a patient. However, DOs report this does not happen with any regularity or uniformity in practice.
- DOs and the healthcare provider team should be able to know what medications and vaccines are being given to their patients in order to provide a complete medical record when treating and diagnosing their patients.
- Pennsylvania has a vaccination registry, but it is not user-friendly and often not useful because of lack of participation in reporting.
- DOs look to remedy these issues in the new legislative session.

**POMA Supports** legislation that would enact expedited partner therapy provisions in the Commonwealth and defer to the best medical judgement of the DO to render care and combat disease as needed.

- Expedited partner therapy would permit a DO to provide a prescription for a sexually transmitted diseases to their patient’s partner.
- Expedited partner therapy is a useful tool in combating the spread of sexually transmitted diseases.