



State Policy Levers to Improve Access to Care

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Rural Health Roundtable—Northeastern States

August 31, 2022

- I. Access to Care: State Legislative Trends
- II. Presentation: Catherine Fulton, VPQHC
- III. Mixed State Table Discussion
- IV. State Table Discussion
- V. Large Group Discussion



Agenda

Defining Access to Care

What comes to mind
when you hear:
“Access to Care”



Shout it out!

Access to Care Components

"The timely use of personal health services to achieve the best health outcomes." (AHRQ)



Access to Care Components for Today's Session

"The timely use of personal health services to achieve the best health outcomes." (AHRQ)

Access to Hospitals
and Clinics

Broadband Access



Health Care
Delivery

State Telehealth Policy Levers



- **Medicaid**
- **Private Insurance**
- **Cross State Licensing**
- **Telehealth Modalities**
- **Authorized Telehealth Providers**
- **Authorized Services for Telehealth**
- **Site Restrictions**
- **Teleprescribing**
- **Patient-Provider Relationship**
- **And more!**





State Telehealth Policy: Pop Quiz!

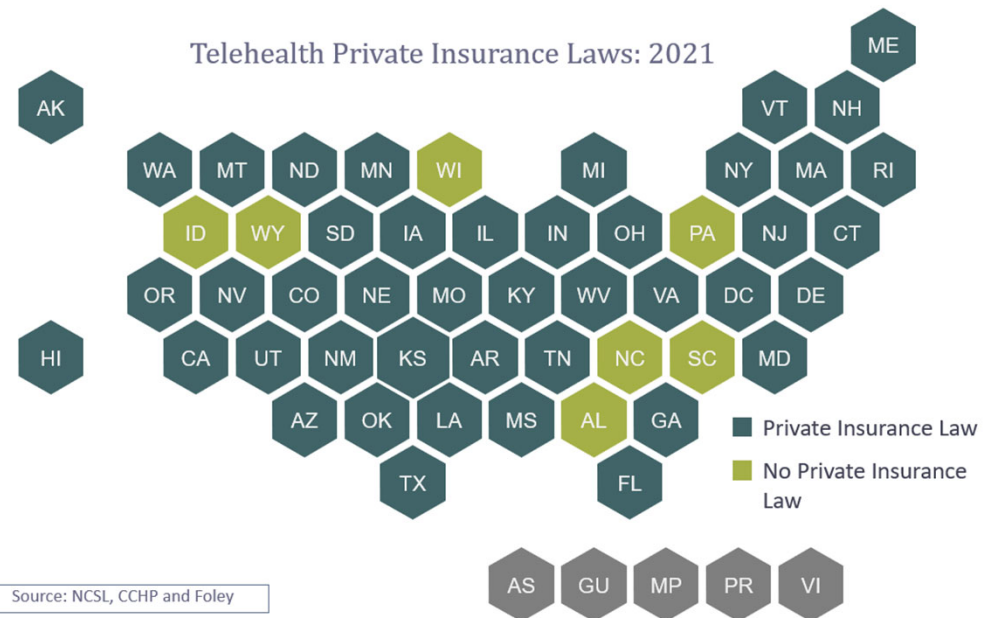


Which of the following is NOT a telehealth modality?

1. Live Video
2. Store-and-Forward
3. Remote Patient Monitoring
4. Audio-Only
5. All are Modalities

Telehealth Coverage: Medicaid and Private Insurance

Medicaid Reimbursement		# of States
	Live Video	50 + D.C.
	Store-and-Forward	25
	Remote Patient Monitoring	30
	Audio-Only	29 + D.C.





Interstate Licensure: Pop Quiz!

True or False:

Telehealth providers often must be licensed in the state where the patient is receiving care, but do not need to be licensed where the provider is located.

Interstate Licensure: Compacts



Active Compacts

1. Physicians – 34 states, D.C., Guam
2. Nurses – 37 states, Guam
3. Physical Therapists – 33 states, Guam
4. Psychologists – 30 states, D.C.
5. Audiologists and Speech-Language Pathologists – 19 states
6. Emergency Medical Services – 21 states



Not Yet Active

1. Occupational Therapists – 19 states
2. Licensed Counselors – 10 states
3. Advanced Practice Registered Nurses – 3 states

Broadband: Pop Quiz!

According to the FCC 2018 data, what percentage of rural areas do not have adequate broadband coverage?

1. 10-19%
2. 20-29%
3. 30-39%
4. 40-49%
5. 50% or above



2022 State Broadband Legislation by Category



Policy Options

- Funding broadband deployment programs
- Creating offices/ commissions/ councils/ task forces to support broadband expansion and use
- Authorizing state-level mapping programs
- Authorizing electric utilities and cooperatives to aid in expanding broadband
- Authorizing municipalities to construct, own or operate telecommunications infrastructure

<https://www.ncsl.org/research/telecommunications-and-information-technology/broadband-2022-legislation.aspx>

Broadband—Federal Funding

American Rescue Plan Act - CSFRF

- \$199.8 billion for states, the District of Columbia, and territories for response efforts.
- Broadband infrastructure is a critical pillar of the CSFRF.
- States encouraged to prioritize investments in fiber-optic infrastructure and projects in underserved communities.

Capital Projects Fund

- \$10 billion for payments to eligible governments to carry out “critical capital projects that directly enable work, education, and health monitoring, in response to the public health emergency.

Broadband Equity, Access Deployment Program

- Under the Infrastructure Investment and Jobs Act.
- \$42 billion to states for broadband grants.
- States faced an Aug. 15 deadline to get their initial planning fund requests to the NTIA.
- Every participating state is due to receive a minimum of \$100 million total.

Rural Health Facilities: Pop Quiz!

How many rural hospital hospitals have closed since 2005? (17 years)

1. 139
2. 157
3. 163
4. 182



Rural Health Facilities: State Legislative Strategies

Rural Hospital Payment Reforms

The Pennsylvania Rural Health Model establishes a global budgeting model for participating rural hospitals.

Rural Hospital State Grant Programs

Kansas HB 2208 (2021) established the rural hospital innovation grant program.

Colorado SB 22 (2022) established the rural provider access and affordability stimulus grant program.

Other Rural Health Facilities

Illinois HB 102 (2021) required the state to create coordination plans between FQHCs and safety net hospitals.

Illinois, Kentucky, Minnesota, Mississippi and **Ohio** enacted legislation in 2021 authorizing FQHCs, RHCs and other facilities to receive Medicaid reimbursement for telehealth.



Rural Emergency Hospital Designation

Pop Quiz!

Which of the following is NOT a requirement of the REH provider type:

- A. No provision of acute care inpatient services.
- B. Average per patient length of stay may not exceed 48 hours.
- C. Must have a transfer agreement with a Level I or II trauma center.
- D. Maintain a staffed emergency department 24/7.
- E. None – they are all requirements.

Rural Emergency Hospital Designation

State Action

- Kansas [HB 2208 \(2021\)](#)—Enacts the Rural Emergency Hospital Act and creates a category of licensure to enable certain Kansas hospitals to receive federal health care reimbursement as rural emergency hospitals.
- Nebraska [LB 697 \(2022\)](#)—Provides for the licensure of rural emergency hospitals and requires coverage for REH services.
- South Dakota [HB 1123 \(2022\)](#)—Establishes licensure for rural emergency hospitals.

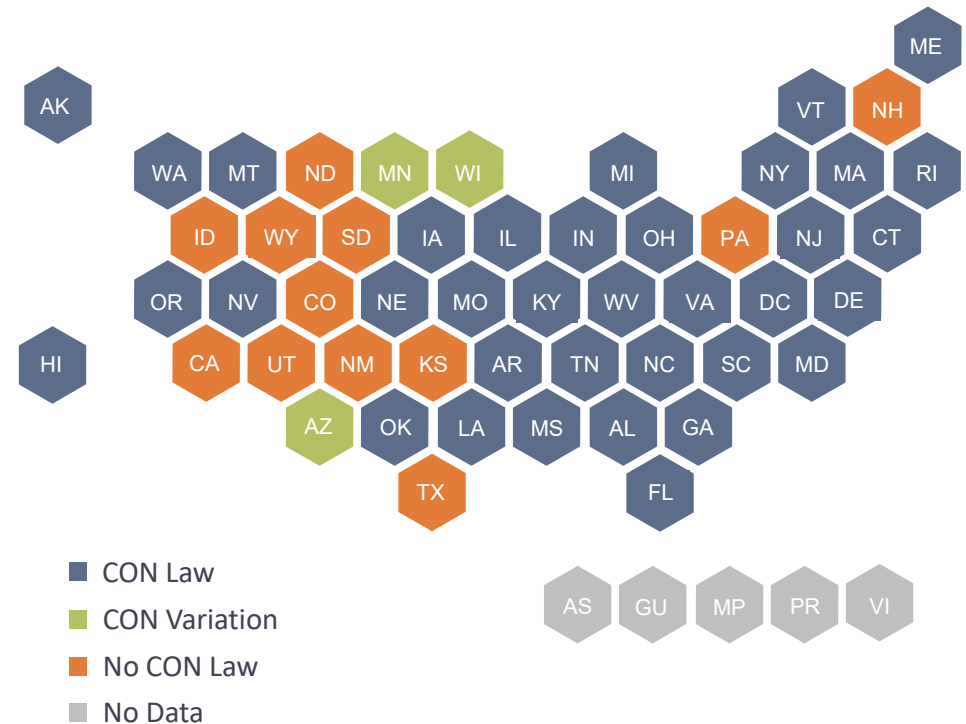
REH Legislative Tracking

- [Rural Emergency Hospitals \(NCSL Webpage\)](#)
- [Health Costs, Coverage and Delivery Database](#)
 - “Market—Payment and Delivery Reform” tag

Certificate of Need State Laws

CON laws generally require health care facilities to seek state-approval prior to expanding their capacity.

- Major CON Reforms
 - **Montana** [HB 231](#) (2021) limits CON approval to long-term care facilities.
- CON Modifications
 - **Kentucky** [HB 777](#) (2022) exempts ambulance providers from CON approval.
 - **Washington** [SB 6359](#) (2020) exempts rural health clinics in designated home health shortage areas from CON approval.



Source: NCSL, 2022



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NCSL Resources

- [Health Costs, Coverage and Delivery State Legislation \(Database\)](#)
- [Bringing the Benefits of Telehealth to Rural and Underserved Patients](#)
- [NTIA Broadband Briefing Webinar](#)
- [Showcasing 'the Power of Rural': National Rural Health Day](#)
- [Telehealth Explainer Series: A Toolkit for State Legislators](#)
- [Repeal or Retool? States Assess Certificate of Need Laws](#)
- [Rural Emergency Hospitals](#)

1. What are some access to care challenges in your state?
2. Using your state profile as a guide, what are some actions your state has taken related to telehealth, broadband and health facilities?
3. What challenges or successes did your state face when pursuing one of those policy actions?
4. What issues related to telehealth, broadband and health facilities do you hope to address in future legislative sessions?



Mixed State Table Discussion: Round Robin Style

1. What were 2-3 actions other states pursued that interested you?
2. What stakeholders could you collaborate with in your state to address access to care issues?
3. What additional information or resources do you need to consider a particular policy strategy?



State Table Discussion

1. What strategies from other states interested you during the mixed state table discussion?
2. What are some next steps you identified during the state table discussion?
3. What additional information or resources do you need? How can NCSL help?



Large Group Discussion
