

***New Hampshire Hospital Association
Legislative Update***

NNE HFMA Legislative Update Webinar
October 25, 2022

***Steve Ahnen, President
New Hampshire Hospital Association***



Federal Update

2022 Elections: Conventional Wisdom

- April prediction: midterm elections usually go against the President's party
- What seemed like a “red wave” in April seems to be less so today, but recent polls suggest things may be tilting red
- What changed?
 - Dobbs decision
 - Inflation/economy
 - Pandemic outlook
 - Political climate
 - Candidates matter



Federal Update

2022 Elections: Conventional Wisdom

- Current indicators suggest Democratic House majority is in jeopardy, Senate remains a toss up

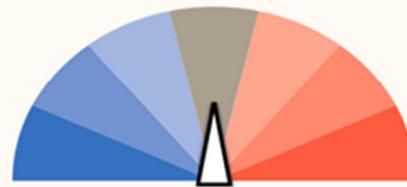
POLITICO FORECAST 2022

We rated every race in play in 2022.
This is who we think will win.

Last updated Oct. 18, 2022, 9:04 p.m. EDT

THE SENATE

**Remains a
Toss-Up**



THE HOUSE

**Likely
Republican**



Federal Update

2022 Elections: Conventional Wisdom

- Federal races in New Hampshire pitting Democratic incumbents against very conservative Republican challengers

- Senate

- Sen Maggie Hassan vs Don Bolduc

Hassan's lead narrows over Bolduc in New Hampshire: poll

BY AL WEAVER - 10/21/22 11:16 AM ET

THE HILL

- House

- 1st CD: Rep Chris Pappas vs Karoline Leavitt

New Hampshire poll: Pappas, Leavitt locked in tight House race

By Christian Wade / The Center Square contributor Oct 12, 2022

- 2nd CD: Rep Kuster vs Bob Burns

THE COOK
POLITICAL
REPORT
WITH AMY WALTER

NEW HAMPSHIRE HOUSE

Rating Change: Kuster's NH-02 Moves from Toss Up to Lean Democrat

Federal Update



Advocacy Priorities for Fall 2022

2022 Year-End Priorities

-Stop Damaging Cuts

PAYGO Sequester

-Extend/Make Permanent Rural Programs

MDH/LVA Program Extension

-Make Waivers Permanent

PHE Waivers

-Hold Health Plans Accountable

MA prior authorization reforms (Improving Seniors Timely Access to Care Act

- Continuing Resolution (CR) funding government through 12/16/22



Federal Update

COVID-19 Relief

- Congress and the Biden Administration unable to come to agreement on additional COVID-19 relief
 - Comes amid a backdrop of increasing hospitalizations as we head into what is expected to be a very busy flu and COVID-19 season, meaning capacity challenges are going to be very real

“US hospitals and health systems are experiencing some of the worst margins since the beginning of the pandemic, and 2022 continues to be on pace to be the worst year of the pandemic in terms of financial performance.”

National Hospital Flash Report, Kaufman Hall, August, 2022

- Congress needs to hear from us on challenges facing hospitals this fall when they return for lame duck session after the election

Federal Update

340B Relief...Good News!

- Several recent court decisions have buoyed 340B program, including unanimous decision by the US Supreme Court
 - Those decisions require CMS to reverse course on 340B payment cuts in 2018 and 2019
 - HHS has announced it will begin restoring payment rate of ASP plus 6% for 340B claims in 2022
 - Payment changes should not be budget neutral

New Hampshire Update

Key Issues

- COVID-19...Here we go again!
- 2022 Legislative Session Wrap up
- Looking Ahead to 2023



New Hampshire Update

Challenging Fall Ahead

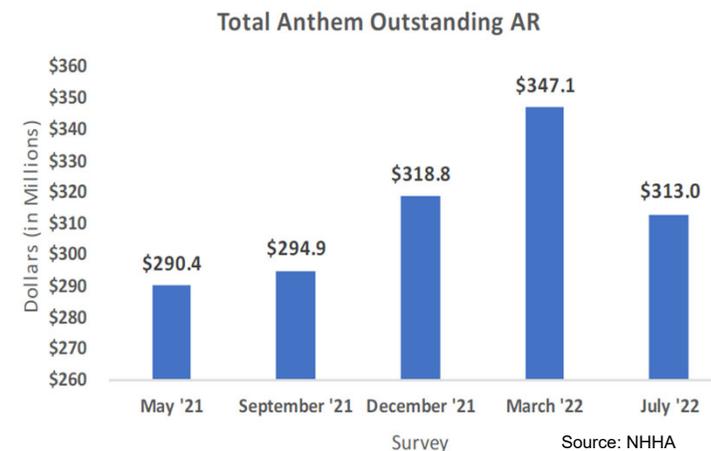
- Workforce, financial challenges ongoing
- COVID-19 on the rise, flu, RSV and capacity challenges are very real
 - Hospitals have been running at 90-95%+ capacity for several months
- Inability to discharge patients to post-acute care facilities
- Ongoing behavioral health crisis
- Growing payor challenges
 - Anthem
 - Medicare Advantage



↑133.1%

HOSPITALS HAVE SEEN
**ASTRONOMICAL INCREASES
IN CONTRACTED LABOR COSTS**
THAT ARE UNSUSTAINABLE
AND THREATEN THE FINANCIAL
SECURITY OF OUR HOSPITALS.

Source: NHHA



New Hampshire Update

2022 Legislative Session

- Political environment: most challenging ever experienced in Concord
- Started the session with almost 50 COVID-related pieces of legislation
 - From prohibiting vaccine mandates, to allowing ivermectin to be available via a standing order and prohibitions on COVID-mitigation measures like masks.
- Healthy 603 Coalition effectively shelved vast majority of those bills, modified many others



New Hampshire Update

Other Legislative Activity

- Workplace Safety (SB 459)
 - Result of study committee
 - Focus: modify warrantless arrest statute, create workplace safety commission, and enhance data collection efforts
 - Warrantless arrest provisions removed, focus in 2023
- Payor Reforms (SB 320)
 - Bill sent to interim study this year...but we will be back
- Labor/Delivery Reimbursement Rates (SB 430)
 - Increased Medicaid facility reimbursement rates for labor/delivery services

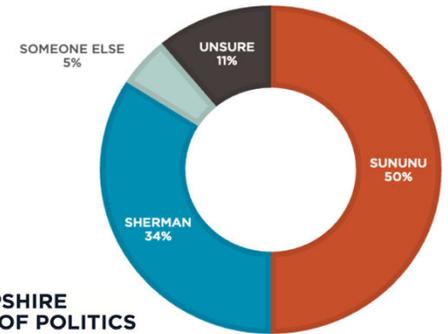


New Hampshire Update

Campaign 2022

- Polls show Gov Sununu poised to return to the corner office
- Battle for the State House
 - Senate appears likely to remain in GOP control
 - House majority narrow, leaning GOP, but *Sabato Crystal Ball* notes narrowing of gap
- LSRs just now coming in...déjà vu all over again??

BALLOT TEST: NH GOVERNOR



 NEW HAMPSHIRE
INSTITUTE OF POLITICS
Saint Anselm College



New Hampshire
Hospital Association 

New Hampshire Update

- THANK YOU!
- We continue to be inspired by the tremendous work that all of you are doing to prepare for and take care of your staff and patients during this crisis...and honored to be your partners in supporting those efforts.
- Stay safe, be well.



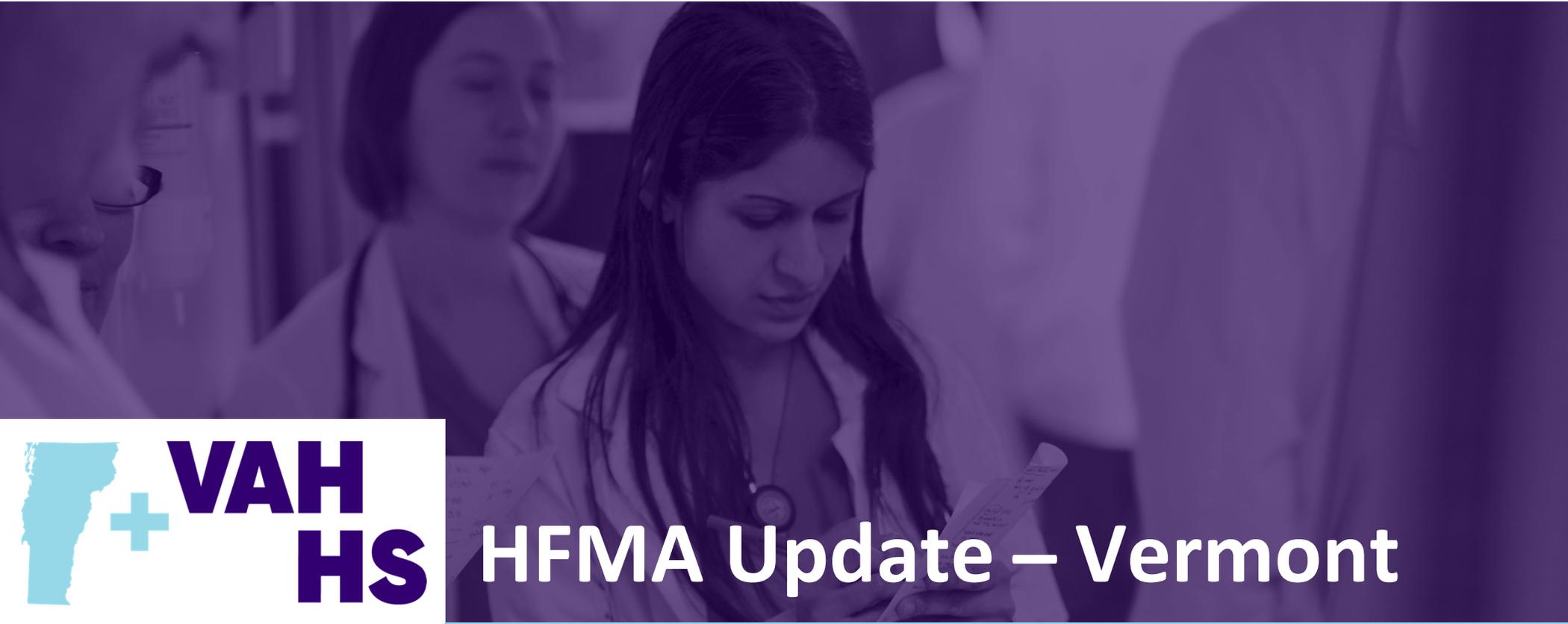
Questions?

Steve Ahnen, President

New Hampshire Hospital Association

603/415-4250

sahren@nhha.org



HFMA Update – Vermont

October 25, 2022

Mike Del Trecco

Interim President and CEO and Sr. Vice President of
Finance and Operations



Regulatory - Green Mountain Care Board

Hospital Budgets

- FY 2022 financial results below budget
- Hospital target growth below health care inflation
- FY 2023 Extreme Inflationary Pressures

Reform and Sustainability Planning

- Act 167 - Hospital Transformation
- APM Agreement Update
- 2025 CMMI- Multi State Demo
 - Global Budgets



Legislative

Health Care Reform

- Payment Reform
 - Act 167 requires the State to consider hospital global budgets and other payment models
 - Federal push for new payment models
- Transformation and Sustainability
 - Act 167
 - GMCB Community Meetings
 - Consultant qualitative and quantitative analytics



Legislative

Workforce

- Labor cost are up over 20%
- Legislature is supporting higher education with a goal of doubling the output of nurses
- \$2.4M to hospitals to initiate/increase preceptor incentive pay to \$5/hour
- \$2.5M to health care providers to develop nursing pipelines



Legislative

Capacity: Mental Health

As with other areas of the country, Vermont's hospital system is at or past capacity.

- At any give time—we have over 30 patients waiting placement for mental health treatment in EDs. About half of these patients wait for more than 24 hours.
- Diversion at a higher frequency

VAHHS Proposals:

- Make permanent the per/diem add-on for emergency departments and include commercial payers
- ED alternatives for psych patients for better care and ED decompression— including peer support and peer respite
- Statewide telepsych program



Legislative

Capacity: Long Term Care

As with other areas of the country, Vermont's hospital system is at or past capacity.

- Patients ready to discharge but without placement take up 10-35% of inpatient beds on any given day

VAHHS proposals:

- Allocate resources to stabilize long-term care and post-acute providers to prevent further erosion of capacity
- Support increased reimbursement for long-term care facilities and home health agencies
- Build capacity for patients with complex needs that are difficult to place



Legislative

Workplace Violence

- Daily—VT hospitals are reporting one or more acts of violence towards employees
- Seeking enactment of law that will treat these acts like domestic violence
- In addition to restricting guns in hospitals, supporting reasonable gun safety initiatives



Legislative

Regulatory Flexibility

- Legislature has extended COVID regulatory flexibilities until March 2023. We have opportunities to make the following permanent:
 - Flexibility in provider credentialing requirements from Medicaid and health insurers
 - Temporary license for out-of-state health care professionals in good standing
 - Apply expedited certificate of need process to emergency departments needing to expand due to increased capacity
- After 2023, a tiered and flexible approach to telehealth licensure



Questions?



Maine Hospital Association

HFMA Update-Maine

Steven Michaud, President
Maine Hospital Association
October 25, 2022

The Big Five (And They're All Related)

- Workforce
- Violence
- Boarding
- Financial Deterioration
- Commercial Payer Behavior

State Legislative Threats and Opportunities

- Staffing Ratios
- Price Caps
- Facility Fees
- State Budget?
- Commercial Payers and Hospitals
- Boarding, BH and LTC
- Workforce

Elections

- Governor
- Congressional
- Legislative