

DAVID S. BENTZ
STATE REPRESENTATIVE
18TH District



**HOUSE OF REPRESENTATIVES
STATE OF DELAWARE
LEGISLATIVE HALL
DOVER, DELAWARE 19901**

COMMITTEES
Health & Human Development,
Chair
Agriculture
Education
Natural Resources
Energy
Labor

**Health & Human Development Committee Meeting Minutes
6.20.18**

Chair Bentz called the meeting to order at 3:01 p.m. Members present include Vice Chair Heffernan, and Reps. Baumbach, Matthews, Kowalko, Jaques, Lynn, Osienski, Williams, Briggs King, Hensley, Kenton, Miro, and Yearick. For a list of speakers please see below.

Rep Heffernan introduced **SB 151 w/ SA 1, AN ACT TO AMEND TITLE 18, TITLE 29, AND TITLE 31 OF THE DELAWARE CODE RELATING TO INSURANCE COVERAGE OF CONTRACEPTIVES**. She explained this act organizes the current federal requirement that health insurance plans include coverage for contraceptives and applies this requirement to individual, group, State employee, and public assistance plans. She added that the bill retains the current ability for religious employers to exclude coverage for the insertion, removal, and medically necessary examination associated with the use of FDA-approved drugs or devices.

Melanie Ross Levin, Director of the Office of Women's Advancement and Advocacy, expressed her support for SB 151 w/ SA 1.

Liz O'Neill, Director of the Delaware Contraceptive Access Now (CAN) Upstream USA, stated they partnered with the Delaware Division of Public Health and collectively connected with forty-two organizations to work to reduce Delaware's high rate of unintended pregnancies. She explained this bill has many benefits and provides much support for Delaware's Healthy Mother and Infant Consortium. She concluded her remarks by stating that the bill would increase access to contraceptives and assist in decreasing teen pregnancy, unexpected pregnancy, and abortion rates.

Rep. Briggs King stated they should look at this issue as a public health issues and moving forward should focus on male contraceptives and health as well.

Chair Bentz requested a motion. A motion was made by Rep. Williams and seconded by Rep. Osienski to release SB 151 w/ SA 1 from committee; motion carried. Yes = 10 (Bentz, Heffernan, Matthews, Jaques, Lynn, Williams, Osienski, Miro, Briggs King, and Kenton.); No = 0; Absent = 4 (Baumbach, Kowalko, Hensley, and Yearick). The bill was released from committee with an F=2, M=9, U=0 vote.

Chair Bentz introduced **SB 227, AN ACT TO AMEND TITLE 16, TITLE 18, AND TITLE 29 OF THE DELAWARE CODE RELATING TO PRIMARY CARE SERVICES**. He explained this Act encourages the use of primary care by creating a Primary Care Reform Collaborative under the Delaware Health Care Commission, requiring all health insurance providers to participate in the Delaware Health Care Claims Database, requiring individual, group, and State employee insurance plans to reimburse primary care physicians, certified nurse practitioners, physician assistants, and other front-line practitioners for chronic care management and primary care at no less than the physician Medicare rate for the next 3 years. He further explained this act simultaneously enacts short-term and long-term solutions to strengthen the primary care system in Delaware.

Rep. Jaques stated primary care workers in Delaware are overworked and underpaid. Additionally, he is appalled by the amount of larger medical organizations buying out small businesses.

Rep. Lynn agreed with Rep. Jaques. He stated he heard from many primary care physicians in the Dover area who have stated Blue Cross Blue Shield represents a large part of their practice; however, they pay less than Medicare. He explained family practice groups are practically extinct between Dover and Georgetown which is a disservice for Kent County residents. He expressed his intent to support SB 227.

Rep Bentz stated across the country the average reimbursement rates are 20-30 percent above Medicare and in Delaware right now, reimbursement rates are 15 to 30 percent below Medicare rates. He explained that this bill will hopefully assist in keeping doctors in Delaware, and although rates will not be as high as national standards, it is a step in the right direction.

Rep. Miro questioned if the money needed for this bill was in the budget.

Chair Bentz stated it does not require a new appropriation.

Rep. Miro stated this bill is necessary for physicians to stay in Delaware.

Rep Briggs King stated recruitment of physicians has become very difficult due to payment rates. She stated to support this legislation is a great step to higher recruitment successes.

Chair Bentz opened up the floor for public comment.

Richard Henderson, President of the Medical Society of Delaware expressed support for the bill because of the positive impact it would have for primary care physicians in Delaware. He stated as of October 2017, all of Kent and Sussex County were declared as health care shortage areas due to the number of decreasing primary care practices.

Dr. Jim Gill, Family Physician, stated he owns a small practice that serves seven thousand people in Wilmington. He stated the primary care practices in Delaware are collapsing and this bill will be taking the first step to address this.

Sara Mullins, Family Physician stated she is an owner of a family practice in Pike Creek and serves twenty-one hundred patients. She shared that since this bill went through the Senate, two physicians have quit and two others have left to follow a concierge model. She explained she does not plan to leave her practice; however, she will need help to stay.

David Krasner, Doctor stated he has been supporting the underserved in Delaware through medicine. Additionally, his practice has six physicians and he is the only one left, with no raise in seven years. He stated there needs to be a comprehensive health insurance reform.

Julia Pilsbury, Pediatrician in Dover stated she have been very active in the medical field at the national level and it has been frustrating that this is happening in Delaware. She stated physicians deserve to be paid one hundred percent of the Medicare rate.

Selvam Mascarenhas, American College of Physicians expressed support for SB 227.

Sharon Baptiste-Brown, GNP, Delaware Coalition of Nurse Practitioners stated her concern that by raising the rate of physician reimbursements means nurse practitioners will be accepting less than their counterparts, however, she explained they have discussed this with the sponsor and the bill does not encourage this. She expressed support for this bill.

Veronica Wilber, FNP, Next Century Medical Care explained she would like to see a better system in Delaware crafted in order to keep more physicians around. She expressed her support for SB 227.

Wayne Smith, President of Delaware Health Care Association stated the importance growing primary care in Delaware to ensure people are receiving high quality care.

Teresa Cohan, CRNP, Trinity Medical Association, withheld her comments because they were appropriately represented already.

Pam Price, Senior Government Affairs of Highmark thanked the Chair for considering an amendment that would allow for an effective date January 1st, 2019 and Highmark would no longer oppose the bill.

Chair Bentz explained that a consensus has been met to push the effective date to January 1st, 2019 to give Highmark time to recreate contracts.

Mano Seagon, Physician, stated physicians are reimbursed less than Medicare, and have to jump through hoops to justify tests being done to care for patients. Both of these things lead to high burn out rates.

Beshara Helou, MD, Georgetown Medical expressed the need to support doctors in order to support loved ones.

Cynthia Helcet, MD, Van Buren Medical Associates explained she was the seventh doctor to leave Christiana Care, and went on to practice at a concierge. She stated that everyone will need a doctor one day and there is a need to take care of this problem now.

Stephanie Malleus, MD, Family Medicine at Greenhill stated you do not see many faces in her field because no one wants to enter the field in Delaware anymore and those who are staying are practicing in the hospital setting. She encouraged the committee to support SB 227.

Mark Glassner, MD, Glassner Family Practice LLC stated the original bill had it built in that physicians would eventually be above the Medicare rate. He stated when he retires he needs someone to take care of his patients.

Julio Navarro, MD, Horizon Family Practice stated he cannot continue to practice under current circumstances. He stated his confusion as to why the effective date must be pushed back.

A.Osunkong, Physician, expressed support for this bill.

Johnathan Kirch, American Heart Association stated they strive to represent the voice of patients and honor the history of supporting access to primary care

Andrew Dahcke, MD, Southern Delaware Imagery Associates, expressed support for SB 227.

Meredith Steward Tweedie, Vice-President of Government Affairs, Christiana Care Health System stated their system depends on small practices, and they cannot do this alone

Sandy Spence, League of Women Voters of Delaware, expressed support for SB 227.

Rep. Jaques stated he has had personal experiences related to this bill and will be supporting its release.

Rep. Kowalko stated that Highmark been charging seven to eight times more than surrounding states. He stated it have become a profit business with no regards to patients.

Rep. Lynn questions what the public policy reason was to push the effective dates to January 1st, 2018.

Chair Bentz replied pushing the date would make sure Highmark employees, whose contracts are ending in the fall, not to miss out on this opportunity.

Rep. Briggs King thanked the public for coming out to testify.

Chair Bentz requested a motion. A motion was made by Rep. Jaques and seconded by Rep. Briggs King to release SB 227 from committee; motion carried. Yes = 13 (Bentz, Baumbach, Kowalko, Matthews, Jaques, Lynn, Williams, Osienski,

Miro, Briggs King, Kenton, Hensley, and Yearick); No = 0; Absent = 1 (Heffernan). The bill was released from committee with an F=2, M=11, U=0 vote.

Rep. Kowalko introduced **HB 467, AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO THE TELECOMMUNICATIONS RELAY SERVICE ADVISORY COMMITTEE**. He explained this act updates the membership of the Telecommunications Relay Service Advisory Committee to include groups currently engaged in ensuring telecommunications relay services are provided to Delawareans who need relay services.

Chair Bentz requested a motion. A motion was made by Rep. Baumbach and seconded by Rep. Miro to release HB 467 from committee; motion carried. Yes = 11 (Bentz, Baumbach, Matthews, Jaques, Kowalko, Osienski, Miro, Briggs King, Kenton, Hensley, and Yearick); No = 0; Absent = 3 (Baumbach, Lynn, and Williams). The bill was released from committee with an F=0, M=8, U=0 vote.

Rep. Baumbach introduced **SB 239, AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE LITTER CONTROL LAW**. He explained this act addresses the problem of individuals dumping large quantities of trash on public and private property, by defining a “substantial quantity” of litter, providing enhanced penalties for the unlawful dumping of a substantial quantity of litter, and creating the Litter Investigation and Enforcement Fund. Additionally, this Act clarifies that a public authority or agency is not required to provide litter receptacles in a park or recreation area that is designated as a carry-in and carry-out facility.

Rep. Baumbach stated this bill is supported by the Delaware Department of Natural Resources and Environmental Control.

Chair Bentz requested a motion. A motion was made by Rep. Hensley and seconded by Rep. Miro to release SB 239 from committee; motion carried. Yes = 11 (Bentz, Baumbach, Matthews, Jaques, Kowalko, Osienski, Miro, Briggs King, Kenton, Hensley, and Yearick); No = 0; Absent = 3 (Baumbach, Lynn, and Williams). The bill was released from committee with an F=0, M=8, U=0 vote.

Senator Hansen introduced **SB 213, AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE COMMISSION ON FAMILY LAW**. She explained this bill provides that the Commission must have at least 2 members from each of the three counties in Delaware. Additionally, there is a change in the requirement for 1 pediatrician member and 1 board certified family practice physician to licensed health care providers, currently practicing or retired, with expertise in pediatrics or family medicine. The bill also changes the requirement for at least 1 Delaware licensed psychologist to at least 1 Delaware licensed mental health professional. Finally, the bill changes the name of the commission to the Family Law Commission.

Chair Bentz requested a motion. A motion was made by Rep. Miro and seconded by Rep. Briggs King to release SB 213 from committee; motion carried. Yes = 11 (Bentz, Baumbach, Matthews, Jaques, Kowalko, Osienski, Miro, Briggs King, Kenton, Hensley, and Yearick); No = 0; Absent = 3 (Baumbach, Lynn, and Williams). The bill was released from committee with an F=0, M=9, U=0 vote.

Chair Bentz adjourned the meeting at 4:18 p.m.

Respectfully submitted by:

Juliann Emory

Attendance List

Richard Henderson, President, Medical Society of Delaware

Jim Gill, Family Physician

Sara Mullins, Family Physician

David Krasner, MD
Julia Pilsbury, Pediatrician in Dover
Melanie Ross Levin, Director, Office of Women's Advancement and Advocacy
Liz O'Neil, Director, Delaware CAN Upstream USA
Selvam Mascarenhas, American College of Physicians
Sharon Baptiste-Brown, GNP, Delaware Coalition of Nurse Practitioners
Veronica Wilbur, FNP, Next Century Medical Care
Wayne Smith, President, Delaware Healthcare Association
Teresa Cohan, CRNP, Trinity Medical Association
Beshara Helou, MD, Georgetown Medical A
Mano Seagon, Physician
Cynthia Helcet, MD, Van Buren Medical Associates
Stephanie Malleus, MD, Family Medicine at Greenhill
Mark Glassner, MD, Glassner Family Practice LLC
Julio Navarro, MD, Horizon Family Practice
A.Osunkong, Physician
John Kirch, American Heart Association
Andrew Dahcke, MD, Southern Delaware Imagery Associates
Jennifer Parrish, Legislative Assistant, Senate
Meredith Stewart Tweedie, Vice-President of Government Affairs, Christiana Care Health System
Pam Price, Senior Government Affairs, Highmark,
Sandra Spence, League of Women Voters of Delaware