**At the State House**

Both the House and Senate Finance Committees are meeting this week to continue their preparations for the creation of a FY2021 budget.

**Tuesday, July 21st**

The **House Finance Committee will take testimony at 4:00 p.m. on the Governor’s Budget Article 2, sections 2-5, and Article 3, section 1-4, 6, 8 and 10.**

Article 2 addresses the use of the Opioid Assessment Fund, a $5 million assessment levied on manufacturers, distributors and wholesalers of prescription opioid drugs. In reality, most of the assessment falls on the distributors – the entities that deliver the prescription drugs from the manufacturers to the pharmacies.

Article 3, section 1, starts out addressing the licensing of home inspectors. The passage of a licensing test was required up to July, 2019. Article 3 moves the test requirement date to December 31 2019. It also provides an alternative avenue for licensing of two years in the practice of conducting home inspections and 150 home inspections completed prior to December 31, 2019. Under current law, the inspections had to be complete prior to July 1, 2013. This may be a clean-up section to address those who failed to achieve the hours or inspection requirements by the July 2019 date.

The Article has similar language for well-drilling contractors (section 2). Current law calls for the implementation of a test requirement starting January 1, 2018. This Article changes the written testing date to July 1, 2020.

Licensing for roofing contractors (under section 3) would become a two-year license instead of a one-year license and would allow them to spread the ten continuing roofing education requirements over two years. The Article eliminates the need to obtain a $100,000 bond for each single project undertaken but would increase the insurance certificate amount from $1.5 million to $2 million. Lastly, the Article extends the testing grandfather clause (no test required) if the roofer was registered and in good standing by July 1, 2015 (current law says July 1, 2003).

Article 3, section 4, changes the way payments made by individuals convicted of a crime are distributed. Current law calls for restitution to the victim first, then court cost, fees and fines. This proposal calls for the court costs and expenses related to prosecution to be paid first, then restitution, then court fines and fees. The State has the right to sell seized property that was obtained illegally if that property would otherwise be destroyed and the property is not harmful to the public. Ten percent (10%) of the funds raised through the sale of the property currently goes to the Department of Health. Article 3 proposed to divert that 10% to the Department of Behavioral Healthcare, Developmental Disabilities and Hospitals (BHDDH) for substance abuse prevention and treatment programs.

Commercial Drivers’ License (CDL) skills tests would be transferred from CCRI to DMV with the fee set at $100 per test under section 6 of the Article.

Last year’s budget established a pilot program for the collection of debts owed to the State. This budget Article 3, section 8, requires all agencies and quasi-public agencies to participate in the debt collection program by October 1, 2020. It gives the Department of Revenue the ability to negotiate settlements. If less than 50% of the debt is collected, the new collection unit keeps 15%.

The **House Finance Committee will also hear H.7531, An Act Relating to Taxation**. This bill was submitted at the request of the Department of Revenue. H.7531 requires larger businesses to file taxes electronically beginning January 1, 2021. “Larger business” is defined as a business that has an annual combined tax liability, payable to the Division of Taxation, of $5000 or more. The definition also includes any business whose annual gross income is over $100,000 for the entity. Failure to file the correct tax amount electronically, will subject the business to a penalty of 5% of the tax liability amount not filed, or $500, whichever is less. An additional penalty of $50 can also be assessed by the Division. If passed, the new procedure would be required for the 2020 tax year for taxes due January 1, 2021 and thereafter.

Written testimony to the House Finance Committee should be submitted to [cobrien@rilegislature.gov](mailto:cobrien@rilegislature.gov) . For those who would prefer the option to provide verbal testimony please send an email to [cobrien@rilegislature.gov](mailto:cobrien@rilegislature.gov) with the following information: Bill # (or specific topic) you are testifying on, For/Against, Your Name and Phone number (to be reached for your testimony) and Affiliation: (if any) \*Deadline to request verbal testimony is Tuesday, July 21, 2020 at 11am.

The **Senate Finance Committee** will accept testimony on the **Governor’s newly proposed Article providing appropriations for an Education Center in Northern Rhode Island to be located on Main Street in Woonsocket**. The language can be found at: <http://www.omb.ri.gov/documents/Prior%20Year%20Budgets/Operating%20Budget%202021/Amendments/2_New%20Article%20-%20Relating%20to%20Lease%20Approval.pdf>

Members of the public wishing to testify may submit written testimony to: SLegislation@rilegislature.gov

**Wednesday July 22nd**

The **Senate Finance Committee** will accept testimony at 4:00 pm on **Article 20 (all of the Article EXCEPT section 13 RIte Share) of the Governor’s proposed budget**. It seeks to insert into state law, the federal Affordable Care Act to ensure that should the federal government disband the program, Rhode Island would continue on its own. It also makes other changes to health insurance. The Article removes insurer’s ability to use prior continuous coverage for one year as an eligibility requirement to enter the individual health insurance market. Carriers must offer all of their health insurance plans to any Rhode Island resident. Carriers cannot require copays or deductibles or other cost-sharing mechanisms for preventative services provided by in-network providers. This same requirement applies to large group health insurance coverage or to small employer health insurance plans.

The Article creates multi-state licensing compact programs for physicians, nurses (RNs and LPN/VNs), psychologists and telepsychologists, physical therapists, and emergency medical personnel (EMTs, advanced EMTs and paramedics). All of these compacts require the states to establish a common database of licensees and to communicate complaints received as well as any actions taken against bad actors.

The Committee will also accept testimony on the **Governor’s proposed new Article concerning telemedicine**. The proposed Article seeks to place, in statute, a health care benefit adopted to face the challenges that came with the arrival of the COVID19 pandemic, a highly contagious viral infection. In response to necessary shelter-in-place requirements, Governor Raimondo signed an Executive order calling for insurers to cover telemedicine visits while the coronavirus emergency continued. The Executive Order included a ban on co-pays or cost-sharing measures as many Rhode Islanders lost jobs and struggled with income.

Telemedicine is a useful tool and certainly provides valuable services to individuals. In some instances, telemedicine has the opportunity to help a patient AND save the health care system time and money. In other instances, telemedicine can cost the system money while providing less effective patient care.

This Article is different from the Senate bill that passed the Senate June 17th, but has some similar goals. The proposed Article creates one process from now until June 30, 2021, and a different process starting July 1, 2021.

From now until June 30, 2021, the term “telemedicine” would include real time two-way audio visual communication **and** audio-only telephone communication. It specifically excludes email, texts or fax communication which is helpful. Insurers could not exclude coverage for telemedicine as long as it is “medically appropriate” (although the determination of appropriateness has to take into consideration any existing public health emergency). No copay or deductible can be charged by the insurer in “excess of what would be charged” for an in person visit. In-network primary care visits and behavioral health visits could not require a prior authorization from the insurer; and insurers cannot dictate certain technology requirements for telemedicine visits. Lastly, rates paid to “in network” providers must be the same for telemedicine as for in-person visits. There is a question that needs to be asked – is it appropriate to charge the same for a telephone call as for an “in-person” visit? The answer may be “yes” for certain appointments like a half hour psychologist session; but it may be “no” for an audio-only annual physical vs. an in-person annual physical.

Starting July 1, 2021, “telemedicine” would no longer include audio only visits (nor would email, fax or text be covered as an appointment). Insurers could begin to adopt different provider payments for telemedicine visits, but they must still cover telemedicine if it is “medically appropriate.” Lastly, insurers can impose a deductible or copay for telemedicine. These changes seem positive as long as “medically appropriate” is determined using quality data and utilization information.

The proposed Article also includes the creation of a stakeholder advisory group. The Chamber asked for the inclusion of such a group in its testimony on the Senate telemedicine bill. The stakeholder group is charged with reviewing utilization data and recommending rates and policies surrounding telemedicine. The Governor’s proposed new Article does not list who would be included as a member of the stakeholder group. The Chamber continues to advocate for equal representation from the business community (purchasers of insurance and self-insureds), insurance providers, health care providers, regulators and user representatives. If this group is to be effective, it must be balanced. This task force could look at what disciplines make sense for telemedicine visits, as well as how to create a system to ensure provider visits are necessary and effective, and to recommend elements that should be adopted in a system that is cost-effective and affordable. Any increase in health insurance premiums would only serve to hurt those businesses that are trying to get our state’s economy going again.

Lastly, the proposed new Article pushes the Office of the Health Insurance Commissioner into the business of adopting new laws. The recommendations and ideas that come forward from the stakeholder group, created under this Article, would go to OHIC; and OHIC would determine what changes should be made in the insurance coverage world.

Members of the public wishing to testify may submit written testimony to: [SLegislation@rilegislature.gov](mailto:SLegislation@rilegislature.gov)

The following new bills were filed last week:

House Resolution No. [8106](http://webserver.rilin.state.ri.us/BillText/BillText20/HouseText20/H8106.pdf) Shekarchi, Casimiro, Ackerman, Serpa, Craven**,** HOUSE RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY AND PROVIDE RECOMMENDATIONS ON THE STATUS AND REQUIREMENTS FOR RHODE ISLAND'S NURSING HOMES (Creates a 15 member commission to study and provide recommendations on the status and requirements for Rhode Island's nursing homes, and who would report back by April 15, 2021, and would expire on July 15, 2021.)

House Bill No. [8113](http://webserver.rilin.state.ri.us/BillText/BillText20/HouseText20/H8113.pdf) Casimiro, Caldwell, Shekarchi, McEntee, Alzate**,**AN ACT RELATING TO EDUCATION (Designates physical, occupational, speech, and music therapies and behavioral health services as essential special services to be provided to students with disabilities during times of a declared emergency.)

House Resolution No. [8116](http://webserver.rilin.state.ri.us/BillText/BillText20/HouseText20/H8116.pdf) Williams, Blazejewski, Alzate, Giraldo, Vella-Wilkinson**,**HOUSE RESOLUTION RESPECTFULLY REQUESTING THAT GOVERNOR RAIMONDO ISSUE AN EXECUTIVE ORDER IMPOSING A MORATORIUM ON EVICTIONS DUE TO THE NOVEL CORONAVIRUS DISEASE (COVID-19), WHILE AT THE SAME TIME EXPLORING WAYS TO PROTECT LANDLORDS

House Bill No. [8117](http://webserver.rilin.state.ri.us/BillText/BillText20/HouseText20/H8117.pdf) Williams, Hull, Blazejewski, Alzate, Slater**,**AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- MINORITY BUSINESS ENTERPRISE (Redefines contractor and minority business enterprise to include any business, profit or nonprofit, organized under laws of any state, even if located outside RI, would apply to RIDOT contracts and relieves businesses from having limit on its net worth.)