

EPIC

The Magazine of the Georgia College of Emergency Physicians



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PRESIDENT'S MESSAGE

WITH GRATITUDE FOR OUR MEMBERSHIP

by GCEP President Dr. John Sy

It's strange to think back to one year ago when I was writing about being on Gov. Brian Kemp's COVID-19 task force, and all of the uncertainty we were facing as a profession and as a country. While there is still some uncertainty out there, and COVID-19 remains a very real threat to public health, I'm sure we all join each other in taking big sighs of relief. Multiple vaccines have been given FDA emergency approval for our general population, including those 12 and older. Younger children are currently being studied for approval later this year. As of mid-May, nearly 30 percent of the Georgia population has been vaccinated, and 37 percent of the entire U.S. population fully vaccinated. Of course, there's still a long way to go, but it's nice to share some positivity after this past year.

While you've been working hard on the frontlines for your patients, GCEP has been working behind the scenes to support YOU. You can learn more in this newsletter about some of the latest legislative issues impacting our industry, as well as see photos from our February 2021 Rural Emergency Practice Conference, among other GCEP news.

I was also pleased to see the great turnout at a May 11 social event we held at Topgolf Midtown Atlanta. Check out the photos from that in this newsletter, and be on the lookout on our social media and website for future events. As well as providing top-notch continuing education, GCEP is a place for you to build your network and friendships.

I'd be remiss to not mention GCEP's ongoing Diversity, Equity, and Inclusion efforts, including a new scholarship we are offering to promote diversity in emergency medicine. You can also read our recent statement of support for the AAPI community in this newsletter (also posted on our social media and website). Know that GCEP is committed to creating an open environment in our profession and in our communities. As physicians, ultimately we are here for our patients ... and how can we be here for our patients when we don't appropriately reflect their communities and values? This work by our GCEP leadership is vital, and I am proud of my colleagues and peers for taking this on.

Finally, I look forward to seeing you at our 2021 Annual Meeting at Kiawah Island Golf Resort, coming up June 11-13. There's still time to register at our website, gcep.org. Along with the CME lectures, you can also spend some time enjoying this premier luxury beachside resort and one of the top golf courses in the country (right after it hosts this year's PGA Championship, May 20-23).

I am always grateful for your continued membership with GCEP. As always, never hesitate to reach out to me with any thoughts, suggestions or concerns. We are all here to make our association a strong one.



“

While you were working hard on the frontlines for your patients, GCEP was working behind the scenes to support YOU.”

DIVERSITY, EQUITY, & INCLUSION UPDATE

Our diversity council has been hard at work as we seek to enhance our public stance on issues that sit at the intersection of social justice and health care. Few others have the opportunities to make such an impact as our organization. While we continue to advocate for our patients in these efforts, we recognize our role in crafting the physician landscape of the future for Georgia.

With that in mind, the GCEP Diversity Committee has established an annual scholarship for underrepresented minority medical students to complete away rotations in emergency medicine at any residency program in Georgia. Applicants will submit letters of recommendation, a CV, a letter of good standing from their medical school administration as well as an essay detailing why they seek such a scholarship.

Scholarship awardees will attend a GCEP Board of Directors meeting where they will provide a reflection of their experiences. We've released a call for applications by the second quarter of 2021 (see below for details) and it is our hope that through this program we will enhance our ability to attract and retain talented future physicians for the state of Georgia.



GCEP SCHOLARSHIP FOR INCREASING DIVERSITY IN EMERGENCY MEDICINE

This \$2,500 scholarship covers room, board and travel expenses!

GCEP's DEI Committee will select one scholarship recipient in 2021, and will consider expanding additional awards in future years depending on qualified applicants. We're primarily looking for candidates with strong ties to Georgia who anticipate returning for practice, but we will not exclude out-of-state students for consideration.

Applicants must submit a 250-word essay about why they want the scholarship, and a 500-word limit essay responding to the prompt: "If you had \$1,000 to spend on something that had to do the most good for the most people, what would you spend it on?"

Apply by June 30, 2021 at [surveymonkey.com/r/GCEPDEI](https://www.surveymonkey.com/r/GCEPDEI).

GCEP STATEMENT OF SUPPORT FOR AAPI COMMUNITY

The physicians of the Georgia College of Emergency Physicians stand in solidarity with the Asian American Pacific Islander community. We mourn with the families who, from our very community, suffered such senseless losses.

GCEP is committed to supporting our patients, colleagues, families, friends and trainees through this trauma. We will be models of and encourage all with whom we interact to #StopAsianHate, as we build towards a future where all Americans feel valued and included.

The GCEP Diversity, Equity and Inclusion Committee will continue to engage the American College of Emergency Physicians and work with our legislative advocacy team to support legislation that is inline with these values.

2021 BILL REVIEW SUMMARY

provided by Travis Lindley & Devin Krecl, Capitol Strategy Group, LLC

THE FOLLOWING NOTABLE BILLS HAVE BEEN SIGNED AND WILL TAKE EFFECT JULY 1, 2021 UNLESS OTHERWISE SPECIFIED IN THE BILL.

SB 4 Patient Brokering

Sen. Kay Kirkpatrick, MD

The bill prohibits substance abuse providers from receiving referral fees or reimbursements related to patient referrals. The bill also amends code to prevent unfair billing practices for drug testing in substance abuse programs.

SB 5 In-Office Sedation

Sen. Kay Kirkpatrick, MD

Updates code pertaining to sedation in non-hospital settings. The bill directs the Georgia Composite Medical Board to establish rules regarding the use of sedation in “office-based surgeries,” which are defined as “any surgery or invasive medical procedure requiring sedation when performed in a location other than a hospital, hospital-associated surgical center or an ambulatory surgical facility, including but not limited to physicians' offices and medi-spas.”

SB 43 Non-Covered Eye Care Services

Sen. Matt Brass

Prohibits insurance plans offering eye care benefits from requiring ophthalmologists and optometrists to provide discounts for non-covered eye care treatment for patients within the insurer's plan.

SB 46 Vaccine Protocol Update via Georgia DPH

Sen. Dean Burke, MD

Amends language within the Department of Public Health authorizing certain medical personnel to administer vaccines during public health emergencies and certain provisions relating to the administration of vaccines under vaccine protocol agreements. Additionally, language pertaining to mass vaccination sites can waive the requirement of checking the state's GRITS system during a public health emergency. This bill also entails HB 275 by Lauren McDonald, relative to firefighter standards and training and to emergency medical services personnel. Additionally HB 450 by Rep. Mark Newton was added to authorize the Department of Public Health to release de-identified data of the Low THC Oil Patient Registry to government entities and other entities for research.

SB 80 Ensuring Transparency in Prior Authorization Act

Sen. Kay Kirkpatrick, MD

The law improves the prior authorization process by 1) requiring insurers and PBMs to be more transparent about the prior authorization process and requiring them to notify physicians and health care providers when they change their prior authorization process or requirements, 2) requiring the opportunity for a physician to speak to a physician or other provider in the same or similar specialty before prior authorization determinations and appeals decisions are made, 3) requiring insurers to respond to prior authorization requests within 15 calendar days between Jan. 1, 2022 and Jan. 1, 2023 and within seven days after Jan. 1, 2023 for non-urgent care and within 72 hours for urgent care, and 4) preventing insurers and PBMs from revoking, denying or changing a prior authorization approval for 45 days unless the prior authorization is for a Schedule II controlled substance, and requiring payment when a prior authorization is granted. Failure to comply with the deadlines in this legislation would result in automatic authorization.

SB 195 Georgia Hope Act - Cannabis Commission

Sen. Jeff Mullis

Originally the Hemp Farming update, now encompasses HB 645 by Rep. Micah Gravelly. The legislation seeks to update the Georgia Hope Act regarding cannabis dispensing licenses, production licenses and new treatment and delivery methods. Also included is HB 601 by Rep. Ron Stephens which seeks to clarify that definitions for marijuana in the criminal code do not include products approved by the FDA.

SB 235 State Criminal Anti-Mask Laws

Sen. Ben Watson, MD

Exempts mask wearing to prevent the spread of COVID-19 or other infectious respiratory disease from state criminal anti-mask laws.

LEGISLATIVE UPDATE

HB 93 Clinical Laboratory Improvement Amendments

Rep. Sharon Cooper

Repeals the state's regulations of clinical laboratories and instead requires all clinical laboratories in the state to meet the certification requirements set forth in the federal Clinical Laboratory Improvement Amendments of 1988. This legislation was brought at the request of the Department of Community Health. This legislation would eliminate the state licensure requirement but would retain certification for enforcement purposes. Labs will be required to report infectious diseases as they currently are required to do.

HB 112 COVID-19 Immunity Liability Extension

Rep. Trey Kelley

Amends multiple Code sections to extend COVID-19 liability protections for one year after the Aug. 5, 2020 effective date of the original legislation to July 14, 2022 (SB 359 in the 2020 Legislative Session).

HB 163 Medicaid Express Lane

Rep. Sharon Cooper

Directs Georgia's Medicaid program to adopt "express lane" eligibility for kids who qualify for Medicaid coverage. The change makes it easier for uninsured Georgia kids who already qualify for Medicaid to enroll and stay covered.

HB 234 Surprise Billing – Self Funded Opt-In

Rep. Lee Hawkins

Provides an option for self-funded health care plans, exempt from state regulation under federal law, to opt into Georgia's Surprise Billing Consumer Protection Act.

HB 458 Sexual Misconduct Continuing Education

Rep. Sharon Cooper

Requires sexual misconduct training for members of the Georgia Composite Medical Board. The bill also requires that continuing medical education credits include ongoing education and training on professional boundaries and physician sexual misconduct.

HB 479 Citizens Arrest Laws

Rep. Bert Reeves

Amends multiple Titles to alter the state's citizen arrest laws. The law still allows off-duty law enforcement officers to detain and arrest individuals within their jurisdiction of employment or when aiding another officer. Additionally, specifically prohibits private citizens from using force that could cause bodily harm to detain another citizen.

HB 307 Georgia's Telehealth Act

Rep. Sharon Cooper

Amends the Georgia Telehealth Act to authorize health care providers to provide telemedicine services from home and patients to receive telemedicine services from their home, workplace or school. The law also provides that no insurer may require a deductible or an in-person consultation before providing coverage for telemedicine services. Additionally, institutes restrictions on utilization review and requires insurers to allow open access to telehealth and telemedicine services, including the provision of prescription medications.

HB 316 Pharmacy Technician Ratio

Rep. Ron Stephens

Increases the pharmacist-to-pharmacy technician ratio for providing direct supervision at any one time, from three to four.

HB 346 Jarom's Act

Rep. Dominic LaRiccia

Authorizes emergency medical services personnel to provide hydrocortisone sodium succinate intramuscularly to a patient that has congenital adrenal hyperplasia, is in adrenal crisis and has hydrocortisone sodium succinate on their person in packaging that clearly displays the correct dosage.

HB 454 Continuity of Care

Rep. Mark Newton, MD

Provides certain coverage requirements concerning providers that become out-of-network during a plan year. When an insurer's provider directory includes a provider as a participating provider for a network plan at such time as a prospective covered person selects their health benefit plan, the insurer would be required to cover the provider charges at in-network rates for 180 days or to the end of the contract year for the covered person, regardless of whether the provider remains a participating provider in the insurer's network plan. The legislation would also ensure that the covered person shall not be responsible for more than the amount for which they would have been responsible had the services been delivered by an in-network provider under the network plan. Additionally, the insurer's provider directory accessed through the insurer's website must accurately display the provider's network status, including any future date on which such provider would become out of network, 15 days prior to the beginning of the designated open enrollment time frame.



LEGISLATIVE UPDATE

HB 509 Individual Health Insurance Procurement

Rep. Houston Gaines

Protects individuals who have pre-existing conditions when procuring health insurance coverage. This law would become effective if the Affordable Care Act's provisions on pre-existing health conditions are ruled unconstitutional or if the law is repealed.

HB 591 LMFT 1013's

Rep. Don Hogan

Authorizes licensed marriage and family therapists to perform certain acts related to emergency mental health treatment (i.e., 1013 involuntary commitment).

HB 653 Pharmacy Practice Act COVID-19 Update

Rep. Rick Jasperse

Update the Georgia Pharmacy Practice Act relating to the ordering and administering of COVID-19 testing. The legislation revises the term "pharmacy care" to include ordering and administering tests approved for home use by the FDA and allows pharmacists to administer certain COVID-19 tests for 12 months following the end of the federal public health emergency.



Questions? Contact our Government Affairs Team! The main office line is 770-435-5586 or reach them directly - Travis Lindley at travis@capitolstrategy.us or (404) 886-5058; and Devin Krecl at devin@capitolstrategy.us or (770) 655-9545.

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U.S. Sen. Rev. Raphael Warnock

202-224-3643

U.S. Sen. Jon Ossoff

202-224-3521

ACEP Welcomes Updated Buprenorphine Guidelines, but Barriers to Treatment Persist

The American College of Emergency Physicians appreciates the Biden Administration's effort to expand access to buprenorphine, a critical treatment for opioid use disorder. While the newly finalized guidelines take steps in the right direction for patients and clinicians, there are still barriers to treatment.

The Biden Administration does not have the legal authority to repeal the X-waiver requirement for providing buprenorphine, but the new guidelines do allow practitioners to forgo some burdensome steps (including an 8-hour training course currently required to obtain a waiver). However, practitioners will still need to complete those requirements if they want to treat more than 30 patients at one time with buprenorphine.

Removing the X-waiver in its entirety and reducing barriers to treating opioid use disorder in the emergency department are major ACEP priorities.

AMBITIOUS LEGISLATIVE AGENDA MAY LEAD TO MAJOR TAX REFORM

provided by Ben Yin and Nolan Pendleton, written by Matt Pate, JD, LL.M., CVP, The Nautilus Group

Biden Administration Infrastructure Plan

The Biden administration recently announced a \$2.3 trillion infrastructure plan that would be paid for largely by an increase in the corporate tax rate to 28 percent. The proposed plan reverses a sizable portion of the reduction of the corporate tax rate under the Tax Cuts and Jobs Act of 2017 from 35 to 21 percent.

Additionally, corporations would be exposed to a minimum tax rate on foreign earnings at 21 percent, and a 15 percent minimum tax on the "financial statement income" of large corporations.

Sanders Estate Tax Bill

Sen. Bernie Sanders (I-VT) has introduced the "For the 99.5% Act," aimed to significantly overhaul the federal estate and gift tax laws. Key provisions include reduction of the current estate tax exemption level of \$10 million adjusted for inflation to **\$3.5 million per person with no inflation adjustment**; reduction of the gift tax exemption from \$11.7 million to \$1 million; and an increase in the applicable gift and estate tax rate from 40 percent to a graduated rate of 45 percent on taxable estates up to \$10 million, 50 percent on additional wealth up to \$50 million, 55 percent up to \$1 billion and 65 percent on wealth in excess of \$1 billion.

STEP Act

The Sensible Taxation and Equity Promotion Act - introduced by Sens. Chris Van Hollen, Cory Booker, Bernie Sanders, Sheldon Whitehouse and Elizabeth Warren - would tax unrealized capital gains of assets transferred by gift or at death.

Additionally, this would tax unrealized gains of assets held in trust every 21 years. A \$1 million exemption would be available to offset any realization upon death, and the tax would be payable in installments over a 15-year period for gains attributable to specific illiquid assets.

Read the full article with complete details and examples of each plan at gcep.org/news_resources.php.

Contact Ben Yin and Nolan Pendleton at generationmd.com.

Your Action Plan

While we can't know which specific proposals will become law or when, it is vital for potentially affected individuals and business owners to remain in contact with their professional advisors to stay abreast of legislative developments and their potential impact. Here's what you can do now:

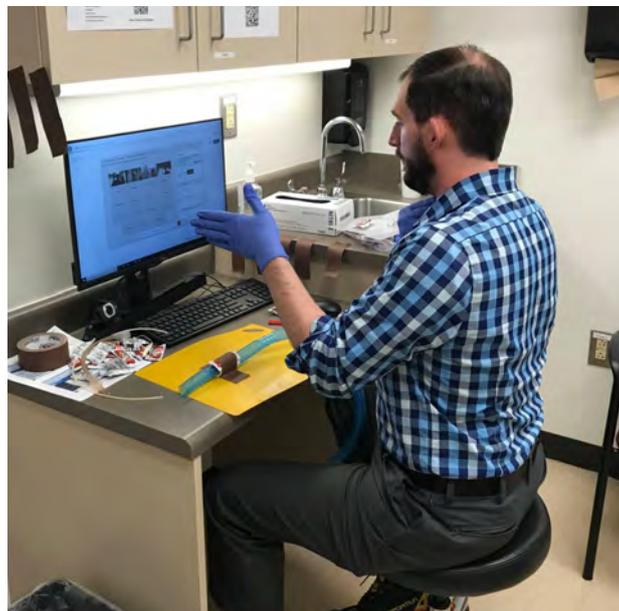
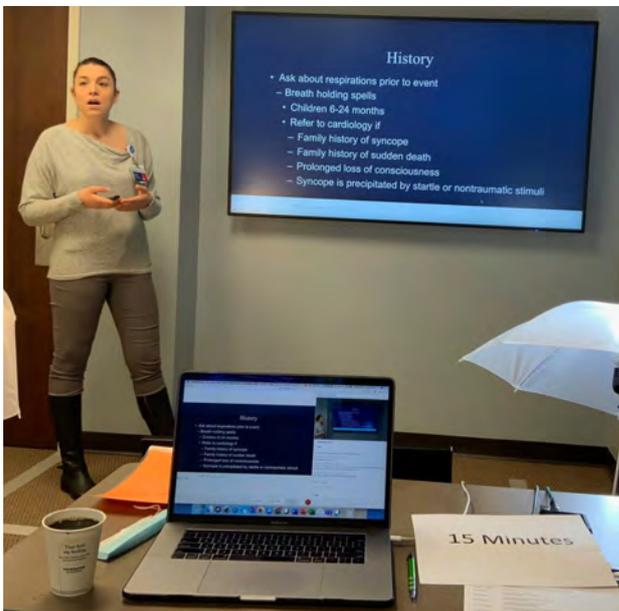
- **Review the potential impact of estate taxes** under new exemption threshold and tax rates, and evaluate sources of liquidity needed for bequests, asset preservation, taxes and other needs;
- **Review current generational wealth planning strategies under existing planning documents** in light of potential new GST tax rules, as well as trust arrangements funded with gifts and/or sales of property and the impact of potential changes to the grantor trust rules;
- **Review existing life insurance arrangement** to assess ongoing funding needs as well as the impact of viable funding strategies and the current tax status of the trust in the event some or all of the proposals become law;
- **Lastly, consider accelerating certain shifting arrangements prior to enactment of legislation.** Note that proper trust drafting as well as the creation, funding and appraisal of family business entities may take considerable time.

RESIDENT/STUDENT BRUNCH - MAY 11



Thanks to all who attended our May 11 GCEP Brunch at Topgolf Midtown Atlanta. We had around 45 residents and students enjoy a few rounds of golf and a delicious brunch (how about those raspberry donuts?). A special thanks to GCEP Board Member Dr. Anwar Osborne for organizing this great event to share the importance of a GCEP membership with our younger members.

2021 RURAL EMERGENCY PRACTICE CONFERENCE



We hope you all enjoyed this virtual presentation of our 2021 Rural Emergency Practice Conference, held in February. Thanks to all who participated!



NEW MEETING LOCATION!
KIAWAH'S WEST BEACH
CONFERENCE CENTER



Coastal Emergency Medicine Conference

Jointly hosted by
GCEP, NCCEP, and SCCEP

Friday, June 11-Sunday, June 13, 2021
Kiawah Island Golf Resort
Kiawah Island, SC

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