

Two Legislators Have Particularly Strong Ties to Medicine

State Senator Slade Blackwell (R-Mountain Brook) (picture on left) and State Representative April Weaver (R-Brierfield) (picture on right) have each had a busy three years in their first terms in the Alabama Senate and House. While being busy is not uncommon for legislators, Sen. Blackwell and Rep. Weaver each possess a unique perspective within the Legislature that differentiates them from their peers.



While the Alabama Legislature has no members who are physicians, both the Senate and House each have a member married to a physician in Sen. Blackwell, who is married to Dr. Sally Salter, and Rep. Weaver, who is married to Dr. Darrel Weaver. Both Drs. Salter and Weaver are Medical Association members.

“Being married to a doctor definitely gives me a different perspective on health care that other members of the Senate just don't have,” Sen. Blackwell, a builder and real estate developer, said. “My wife is my number one health care advisor.”

Rep. Weaver, who is a registered nurse with an MBA and is director of business development at Alabaster's Shelby Baptist Medical Center, agreed.

“Health care is changing in so many ways and physicians are right in the middle of that, from how care will be delivered in the future to where the boundary lines for scopes of practice should be drawn,” Rep. Weaver said.

Both Sen. Blackwell and Rep. Weaver are members of their respective chambers' Health committees and so see many issues affecting medicine come before them. Since being elected in 2010, those committees have dealt with everything from standards of care to Medicaid reform to attempted changes to medical liability laws.

“When you look at the hundreds of health-related bills introduced each session it's staggering to think how much legislation could potentially pass that affects how doctors practice medicine. Even more staggering is that with few exceptions, the individuals making those decisions have a limited knowledge of health care,” Rep. Weaver said.

The contentious nature of so many health-related bills underscores the need for physicians to be involved in the legislative process, Rep. Weaver says, and engage their elected officials in Montgomery.

“It goes without saying that those who choose to participate steer the conversation and eventually the outcome,” Rep. Weaver said. “The Medical Association does a good job advocating physicians' point of view to the members of the House and Senate but it's also important for individual doctors to communicate with their legislators when a big issue is pending.”

Both Rep. Weaver and Sen. Blackwell have demonstrated a willingness to listen to physicians' perspective, and not just the point of view of the physicians with whom they share a dinner table. Rep. Weaver this year sponsored two of the three bills in MASA's “prescription drug abuse and diversion” package and Sen. Blackwell sponsored MASA-supported legislation last year to allow physician assistants and nurse

practitioners to refer patients to physical therapy as an alternative to another dangerous bill that would have totally removed the physician referral requirement.

"We see a lot of repeat bills each year but there are always a few surprises," Sen. Blackwell said. "We have some of the best doctors in the world here in Alabama and we should do all we can to ensure a favorable environment for them to practice."

In addition to the Medical Association bills Rep. Weaver and Sen. Blackwell have sponsored, each has also voted on many other health-related bills affecting medicine and frequently seek counsel from MASA on those issues. Both have sponsored MASA amendments to other legislators' bills on subjects as varied as standards of care in state law to requiring higher education requirements for lay midwives. They agree that between the Affordable Care Act, the Medicaid "transformation" and the multitude of other changes taking place in health care, physicians must be at the table for those discussions.

"There has never been a time when health care has been as front and center as it is right now," Rep. Weaver said, "and that's not going to change anytime soon. Getting involved in the legislative process is the first step toward enacting the kind of change you want to see."

Sen. Blackwell echoed her sentiments.

"Now is the time when medicine needs to be front and center leading the way forward," he said. "If those who know the most about health care don't lead, as a state and country we could end up somewhere we will regret."

U.S. Supreme Court: Doctors Can Collectively Fight Unfair Business Practices

The U.S. Supreme Court this week handed down [a decision](#) that will allow individual physicians to come together as a group to fight unfair business practices of large health insurance companies.

The ruling originated from a suit involving New Jersey pediatrician John Sutter, M.D., and insurer Oxford Health Plans. In the suit, Dr. Sutter alleged that Oxford had systematically bundled, downcoded and delayed payments to him and to 20,000 other physicians in its network. Oxford had challenged legal decisions that would allow class-arbitration, instead reportedly wanting to force physicians to individually arbitrate their disputes because it would work to the insurer's advantage. Oxford appealed the case to the U.S. Supreme Court, and the Court ruled in favor of allowing broad class-arbitration.

Experts believe this ruling will prove beneficial in helping medicine address the harmful and unfair policies of some insurance companies toward policyholders and their physicians.

MASA Supporting "Medicare Patient Empowerment Act"



The Medical Association is continuing its support for the "Medicare Patient Empowerment Act," which if enacted would allow Medicare beneficiaries and their physicians to freely contract for covered Medicare services without penalty.

MASA and a number of other state medical and specialty societies penned a letter to the U.S. House and Senate outlining the need for the legislation and requesting wide bipartisan support for something that will provide important protections for beneficiaries.

"Under current law, Medicare beneficiaries that choose to see physicians who do not accept Medicare are required to pay the physician's charge entirely out of personal funds – Medicare does not pay any part of the charge. In addition, physicians who choose to provide covered services to Medicare beneficiaries under private contracts must "opt out" of the Medicare program for two years, during which time Medicare does not pay the physician for any covered services provided to Medicare beneficiaries. These discriminating policies are inappropriate and prevent beneficiaries from seeking care from the physician of their choice," the letter reads.

Currently, the only member of Alabama's Congressional Delegation signed on as a sponsor to H.R. 1310 is Congressman Jo Bonner, and we thank him for his support for the legislation. The Medical Association will actively seek other co-sponsors to the bill from within the state's Congressional Delegation.

Read the attached letter to Congress below.

CD-1 Update: Young Receives Letter of Praise; Hillyer Takes No Tax Pledge

Dean Young, Republican candidate for election to Alabama's 1st Congressional District, received a letter of praise from Chief Justice Roy Moore. Young shared the letter with the media. The letter from the chief justice describes Young as "a man of great ability as well as 1 of the highest moral and ethical standards." He said he could not endorse a candidate (by virtue of his position) but wanted to congratulate Young on deciding to run. Reports indicate Young sees the letter as a campaign booster. He has purportedly been a longtime supporter and fundraiser for the chief justice. Also this week, Republican candidate Quin Hillyer, a Mobile conservative columnist, became the first candidate in the race to sign Grover Norquist's no-new-tax pledge. The tax pledge, which commits those who sign it to "oppose any and all efforts" to raise taxes, has become commonplace in Republican circles. An estimated 95 percent of Republican members of Congress have signed the pledge.