COLA Minutes

COMMITTEE ON LEGISLATIVE AFFAIRS (COLA)
March 25, 2015 Minutes
7:00-9:00 pm
NJPA Central Office

COLA Members: Buchanan (Secretary) (absent), DaSilva (Past – Chair) (absent), Dranoff, Gayle (NJPAGS Rep), Gorman, Hagovsky (Chair-Elect) (absent), Katz (NJPA President-Elect), Newsome (Chair), Hanbury, Singer, and Weiss
COLA Guests: Axelbank, Evers, Waters
NJPA Staff: Boertzelsmith, Selzer
GAA: Bombardieri

I. January Retreat Minutes – approved via e-vote

II. Legislative Bills

A3923 Requires Attorney General to establish mental health screening program for police officers involved in traumatic event. [(A) Sumter] Hanbury, Singer
COLA Discussion: The term “Director” did not make reference to Division of Mental Health and Addiction Services. The term “mental health professional” should this be a psychologist? The term “Mental Health Screening” lines 19-23, how in depth does screening go? This term seems vague. There is a good need for this, but term needs to be better defined. How do you define a traumatic event? Will this bill result in punitive consequences for police officers?
Bombardieri – The police union is in opposition to this legislation; rec. to submit our concerns to the sponsor.
Position: Support and Seeking Amendments

ACR212/SCR155 Establishes Joint Legislative Task Force on Addiction Prevention and Treatment. [(A) Conaway, Vainieri Huttle, Benson, Johnson] Hanbury, Gorman
COLA Discussion: If this bill passes, we should write a letter offering our services as profession to serve as a resource.
Position: Support

A3945/S2605 Requires disclosures of out-of-network services performed by health care providers under certain circumstances. [(A) Garcia, Lagana, Eustace, Sumter] Katz, Singer
COLA Discussion: Similar to S2536/A3771 - NJPA opposed Nov 2014
Bombardieri - Other medical professions also oppose this bill.
Position: Oppose

A3953/S540 "New Jersey Health Insurance Marketplace Act."
[(A) Conaway, Singleton] Weiss, Gayle, Gorman
COLA Discussion: This could be a positive bill, we could have more influence at the state level
Bombardieri - This bill could be too costly on our state (audit clause in bill) and feels governor will not sign. May not be worth our time and resources to support, although could be valuable in theory.
Position: Monitor

A1319/S1152 Permits attending advanced practice nurse to determine cause of death and execute death certification of patient if nurse is patient’s primary caregiver. [(A) Quijano, Wimberly, Munoz, Jasey] Katz, Dranoff
Bombardieri: This bill is currently on governor’s desk
Position: Support
A4231/S2729 Authorizes health care practitioners to provide health care services through telemedicine. [(A) Lampitt, Coughlin, Conaway/(S) Vitale, Whelan] Weiss, Dranoff

**COLA Discussion:** The benefit of gaining reimbursement from insurance for this level of service. Telemedicine would not include use of telephone (audio only); phone and text not secure; issue of “who is a doctor?” Will this bill expand scope of practice for M.D. only? Not clear if psychologists are excluded from this bill, but it seems that we as psychologist would be operating our own licensing board.

**Bombardieri:** He will have a discussion with OLS and sponsor regarding audio issue — specifically that mental health professionals be permitted to use an “audio-only” method of communication under the heading of telemedicine. He will get clarification on doctor/scope of practice question.

**Position: Support and Seeking Amendments**

**Addendum bills released 3-12-15 – Group Discussion**

S2808/A429 “Madison Holleran Suicide Prevention Act”; requires institutions of higher education to have health care professionals who focus on reducing student suicides and attempted suicides available 24 hours a day. [(S) O’Toole/(A) Rumana]

**Bombardieri:** This bill does not require the “health care professional” to be a mental health professional, due to the burden of having someone available 24 hours/day.

**Position: Support**

S2809/A4292 “Madison Holleran Proper Reporting Act”; requires institutions of higher education to post information on student suicides and attempted suicide on website. [(S) O’Toole/(A) Rumana, Russo]

**Position: Monitor**

S2816 Requires mental health evaluation for all animal cruelty offenders; designated as “Shyanne’s Law.” [(S) Beck, Vitale]

**COLA Discussion:** A concern was expressed that a “treating” provider can perform the evaluation; initial evaluation and any subsequent treatment to be paid by the violator; should we strike the term “therapist” and replace with “licensed psychologist” for purposes of the evaluation only. Therapist can provide the subsequent treatment. Also send data from our regulatory board regarding the conflict of a treating psychologist performing an evaluation with an existing patient.

**Bombardieri:** He will clarify the language with Senator Beck

**Position: Support with the potential of Seeking Amendments**

**III. 2015 Legislative Priorities Update – Bombardieri**

A. A2714/S1993 Requires continuing education for licensed practicing psychologists
   [(A) Giblin, Sumter] [(S) Barnes] Passed Assembly/Waiting to be posted – Senate
   **Update:** To be posted by Senator Gill by end of June; passed 39-0 in Assembly

B. A2892/S1864 Grants prescriptive authority to certain psychologists
   **Update:** On 3-9-15, this bill was pulled from Assembly Board List by Assemblyman Diegnan because of his reelection concerns. The veterans are working on our behalf. We are hopeful for a posting by the Assembly by May/June. Senator Gill should post the bill in her committee.

C. S2180/A3450 Requires certain health benefits plans to provide treatment for behavioral health care services when determined medically necessary.
   [(S) Gordon/ (A) Mainor] Hearing Date TBD Senate Budget Committee
   **Update:** Out of senate committee, now going to budget committee. No hearing date yet. May/June expected. Insurance carriers estimate cost of 64 million. We are asking for proof behind these numbers.
IV. Other Business

A. Bombardieri Past Bills Update
   A806/ S1196 Permits health care providers to report certain patient health problems to MVC. 
   http://www.njleg.state.nj.us/2014/Bills/A1000/806_I1.PDF
   NJPA sought amendments to be included in the legislation’s definition of health care provider; the 
   legislation now includes practicing psychologist within that definition.

B. Legislative Events –
   (A) Lampitt (Sheryl Pipe), (A) Singleton (Oni Dakhari), (A) Prieto (Erik Dranoff) 
   (A) Bramnick (Frank Weiss)
   Good participation from NJPA events; Dranoff discussed positive experience at Prieto event; Weiss 
   attended Bramnick event; discussed benefit on networking with other groups at these events

C. Medicaid Task Force Proposal
   The goal of this task force is to outline procedures on how to address reimbursement rates for Medicaid 
   to increase participation by providers and access to care; Axelbank will lead this committee; committee 
   meeting tentatively set for April 19 to work on proposal; committee will include 6-8 people; will 
   hopefully serve as multidisciplinary committee

D. Public Education Representative
   A PEC representative may serve as a consultant instead of a full time guest. COLA can reach out to the 
   PEC and Media Committees for a representative

E. Additional COLA Guests
   There are efforts being made to gain an academic and a diversity representative.

F. Mental Health Awareness Bill
   Bombardieri recommends we think about having a bill to establish mental health week or month to 
   help raise mental health awareness. The first step is to decide whether to do a week or month, then find 
   a sponsor; plan to put this issue on the agenda for next COLA meeting and gather more information in 
   interim.

G. Legislator name for 2015 NJPA Fall Conference
   Identify potential candidates; Bombardieri will bring a list of names to discuss at next meeting

Meeting adjourned at 9:06pm.

Respectfully submitted,

Ashley Gorman, Ph.D.

Title: acting NJPA COLA secretary
I. March Meeting Minutes – approved via e-vote

II. Legislative Bills
A4270/ S2668 Establishes "MVP Emergency Alert System" for missing persons with mental, intellectual, or developmental disabilities.
[(A) Lampitt/ (S) Beach, Madden]
http://www.njleg.state.nj.us/2014/Bills/S3000/2668_U1.PDF
Reviewed by Gayle and Hanbury - comments in support, concerns re: confidential information adequately addressed in the bill
Position: Support

A4271 Requires health benefits coverage for opioid analgesics with abuse-deterrent properties.
[(A) Conaway]
http://www.njleg.state.nj.us/2014/Bills/A4500/4271_I1.PDF
Reviewed by Singer and Weiss - comments in support re: long-term cost savings, unsure of relevance to the profession
Position: No position

S2827 Transfers Division of Mental Health Advocacy to DHS; re-titles director as Mental Health Advocate; provides diversion for mental health treatment for persons subject to prosecution in municipal court; appropriates $15,000,000
[(S) Lesniak, Vitale]
http://www.njleg.state.nj.us/2014/Bills/S3000/2827_I1.PDF
Reviewed by Katz and Gorman - comments in support re: identifying mental health issues before more serious actions occur; recognized appropriation as a hurdle
Position: Support

S2850/ A4118 Requires DHS to prioritize placement of parents of children receiving services from DCPP in mental health and substance abuse treatment programs.
[(S) Allen, (A) Casagrande, Singleton]
http://www.njleg.state.nj.us/2014/Bills/S3000/2850_I1.PDF
Reviewed by Katz and Singer - comments in support of prioritization of parents, concerns regarding other groups that would be disenfranchised by such prioritization
Position: Support

A4416 Establishes Behavioral Mental Health Advisory Board in Division of Mental Health and Addiction Services in DHS.
[(A) Mosquera, Schaer]
http://www.njleg.state.nj.us/2014/Bills/A4500/4416_I1.PDF
Reviewed by Weiss and Dranoff – Suggested seeking amendment to include psychologists via the New Jersey Psychological Association; Weiss volunteered to join if such an appointment were made available
Position: Support and seek amendment to include NJPA

III. Other Business
A. Bombardieri Past Bills Update

A3435 "Boys & Girls Clubs Keystone Law"; permits minors to give consent for behavioral health care.

[(A) Garcia, Mukherji, Vainieri Huttle, Mainor]

http://www.njleg.state.nj.us/2014/Bills/A3500/3435_I1.PDF

Kohutis/Bressler

POSITION: 3/15 Seek amendments - terminate use of term “certified psychoanalyst”

Incorporate “licensed mental health professional or agency

On Governor’s desk for signature.

B. Medicaid Task Force - approved by executive board.

Request for Legislative Priority (COLA to discuss/needs approval by NJPA executive board) - “Increased Access to MH/Psychological Services for Medicaid Recipients by Passage of the Medicaid Bill”

Axelbank described the purposes of the committee and the preliminary plans to advance this legislation

- This is an “Access to Care” issue for 1.6 million people
- Would like to meet with legislative sponsors and committee members to gather intel related to the origins of the bill, define market rates, define evidence-based practices, what data are needed to help pass the bill, etc.
- Expressed expectation that the related conversations would garner additional positive attention for NJPA’s initiatives
- This bill is unlikely to pass, perhaps revisited over the summer
- Broad and long-term view; bill has merit yet challenged by budget
- COLA members thought these ideas were worthy of consideration
  - Suggestion to consider a tax deduction for psychologists who see Medicaid beneficiaries
  - Allowing permit holders outside of exempt settings to provide services for Medicaid beneficiary
- COLA agreed to allow TF to use the services of GAA for the sole purpose of facilitating a meeting between TF and bill sponsors
- GAA will set meetings with sponsors
- Axelbank will gather intel and then present the issue to COLA for consideration as a legislative priority for NJPA

C. Request for partnership with COLA from the NJPA Psychologists for the Promotion of Child Welfare (PPCW) Workgroup – to address policy changes related to psychological testing contracted by the NJ Department of Children and Families

- Arbitrary limits of 16 hours for families, 8 hours for individuals for psychological evaluations
- Communication from Office of Public Defenders – no limits, presumptive guidelines exist, process to exceed these guidelines exists, responsibility of defense attorney to request more hours
  - Will share this document with psychologists to share with public defenders and in the Friday Update
  - Can use this document in conversation with DCF/DCPP
D. Review of Bombardieri List of Legislators names for 2015 NJPA Fall Conference, Legislator of the Year Award

- Senate President Sweeney – voted yes on all of our bills, posting our bills
- Majority Leader Weinberg – RxP sponsor
- Speaker Prieto – supported our issues
- Asm. Eustace (chiropractor) – sponsors some of our bills, active
- Asw. Lampitt – sponsor of few bills, MH advocate

COLA approved order of GAA recommendations; GAA will proceed accordingly

E. Mental Health Awareness Bill – National calendar was provided at the meeting
   - Discussed value of initiating a legislative resolution for May to be declared Mental Health Awareness Month
   - Proclamation was also suggested
   - GAA will explore other states’ resolutions and related efforts
   - COLA approved the month of May for the resolution with specific language to be determine later

F. Legislative Events – (A) Rible (Evers), (A) Benson, (A) Greenwald, (A) Eustace, (A) Wolfe
   - Evers attended Rible’s and Axelbank attended Wolfe’s – both were pleasant and productive experiences
   - Buchanan will attend Benson’s, Weiss will attend Eustace’s
   - Greenwald – need a volunteer, Newsome will reach out

IV. 2015 Legislative Priorities Update

A. A2714/S1993 Requires continuing education for licensed practicing psychologists
   [(A) Giblin, Sumter] [(S) Barnes] Passed Assembly/ Passed Senate Committee- waiting to be posted – for Senate Floor vote
   http://www.njleg.state.nj.us/2014/Bills/A3000/2714_I1.PDF
   Senate President will post for a vote in June, should be on Governor’s desk in June

B. A2892/S1864 Grants prescriptive authority to certain psychologists
   http://www.njleg.state.nj.us/2014/Bills/A3000/2892_I1.PDF
   Sponsor may wish to wait until lame duck session
   Conversation with Asm. McKeon, perhaps will speak with Diegnan
   Individual meetings with legislators including the Speaker
   (If it’s posted, it would be scheduled for June 22 and 29)

C. S2180/A3450 Requires certain health benefits plans to provide treatment for behavioral health care services when determined medically necessary.
   [(S) Gordon/ (A) Mainor] Hearing Date TBD Senate Budget Committee
   http://www.njleg.state.nj.us/2014/Bills/S2500/2180_S1.PDF
GAA recommendation – long shot due to cost, little legislative will, consultants having difficulty getting information from Horizon re: their 65M prediction to develop counterarguments; NJ-NASW dropped the initiative

GAA will have a discussion on how to proceed given challenges will occur at the next MH Coalition meeting

Meeting adjourned 8:45pm

Respectfully submitted,

Suzanne Buchanan, Psy.D., BCBA-D

NJPA COLA Secretary

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COMMITTEE ON LEGISLATIVE AFFAIRS (COLA)
June 17, 2015 Meeting Minutes
7:00-9:00 pm
NJPA Central Office

COLA Members: Buchanan (Secretary), DaSilva (Past-Chair), Dranoff, Gorman, Hanbury, Katz (NJPA President-Elect), Newsome (Chair), Singer, and Weiss

COLA Guests: Waters

NJPA Staff: Boertzel-Smith

GAA: Bombardieri

I. May Meeting Minutes – approved via e-vote

II. Legislative Bills

A4498 Requires health benefits coverage for juvenile depression screenings.  
[[A Lampitt]  
http://www.njleg.state.nj.us/2014/Bills/A4500/4498_I1.PDF

Reviewed by Dranoff, Gayle, and Katz

Suggested amendment to include mental health professionals working in collaboration with medical professionals; Bombardieri could have a conversation with Asw. Lampitt

Position: Support (seeking amendments and dialogue)

S2971/A4353 "Music Therapist Licensing Act."

[(S Drew/(A) Andrzejczak]  
http://www.njleg.state.nj.us/2014/Bills/S3000/2971_I1.PDF

Reviewed by Hanbury and Gayle

Discussion of this bill as a straightforward license of a certified profession based on bachelor’s degree and extensive clinical training, bill does not talk about music therapists diagnosing or medicating

Position: Monitor

S1781/ A3166 Requires institutions of higher education to provide students with access to mental health care programs and services and to establish a hotline to provide information concerning the availability of those services.

[(S Greenstein/(A) Lampitt]  
http://www.njleg.state.nj.us/2014/Bills/S2000/1781_I1.PDF

Reviewed by all COLA members
Bill will be heard in committee 6/18/15
Discussion of this bill’s good intentions, concerns regarding administrative burden and liability for higher education institutions, could increase access to care for college youth who need it
Position: Support

III. Other Business

A. COLA Listserv Monitor Team Representative - Erik Dranoff
Newsome and all reaffirmed Dranoff’s role of providing information to the listserv and the importance of relying on others (Newsome, Boertzel-Smith, and others)

B. Bombardieri Past Bills Update

A4416 Establishes Behavioral Mental Health Advisory Board in Division of Mental Health and Addiction Services in DHS.
[(A) Mosquera, Schaer]
Previous meeting: Reviewed by Weiss and Dranoff – Suggested seeking amendment to include psychologists via the New Jersey Psychological Association; Weiss volunteered to join if such an appointment were made available
Position: Support and seek amendment to include NJPA
Bombardieri met with Assemblywoman Mosquera and she agreed to include psychologists via amendment probably in fall 2015

A4231/S2729 Authorizes health care practitioners to provide health care services through telemedicine.
[(A) Lampitt, Coughlin, Conaway/(S) Vitale, Whelan] Weiss, Dranoff
Previous meeting: COLA Discussion: The benefit of gaining reimbursement from insurance for this level of service. Telemedicine would not include use of telephone (audio only); phone and text not secure; issue of “who is a doctor?” Will this bill expand scope of practice for M.D. only? Not clear if psychologists are excluded from this bill, but it seems that we as psychologist would be operating our own licensing board. Bombardieri: He will have a discussion with OLS and sponsor regarding audio issue—specifically that mental health professionals be permitted to use an “audio-only” method of communication under the heading of telemedicine. He will get clarification on doctor/scope of practice question.
Position: Support and Seeking Amendments
Bombardieri met with Assemblywoman Lampitt and asked to be included; Asw. Lampitt working with national groups; Bombardieri will provide APA’s guidance on telemedicine sometime over the summer, Boertzel-Smith will provide them to Bombardieri; suggestion to have COLA review the APA telemedicine guidelines via evote
Bills that will be heard in committees tomorrow

A2888 Directs State Board of Education to develop autism spectrum disorder endorsement and requires all teacher preparation programs to include a special education component. http://www.njleg.state.nj.us/2014/Bills/A3000/2888_I1.PDF Buchanan recommended holding off based on lack of inclusion of evidence-based; Weiss expressed concern re: identified one special education group being identified NJPA tabled until 10/14/15

AJR33/SJR69 - Designates April 2nd of each year as "World Autism Awareness Day." http://www.njleg.state.nj.us/2014/Bills/AJR/33_I1.PDF Position: No position

A4461 Changes pejorative terminology referring to persons with certain disabilities. http://www.njleg.state.nj.us/2014/Bills/A4500/4461_I1.PDF Position: Monitor

C. Medicaid Task Force – Update
No report

D. Psychologists for the Promotion of Child Welfare (PPCW) workgroup – Update

- Katz provided an update regarding the increase in hours necessary to complete an evaluation; requested this announcement be included in the Association’s communication channels (e.g., Friday update, listserv, PPCW workgroup); Katz and/or Dranoff will summarize

- Meeting requested with DCP&P to discuss arbitrary limitations of hours to complete evaluations; dates are forthcoming

E. Update on Senator Stephen Sweeney or Loretta Weinberg to attend the October 24, 2015 Fall Conference luncheon

- Bombardieri asked the Senate President Sweeney; he is interested but his schedule is not available until July

F. May Mental Health Awareness Bill – Update / Two examples from IL http://www.ilga.gov/legislation/BillStatus.asp?DocNum=485&GALD=13&DocTypeID=HR&LegId=91379&SessionID=88&GA=99

Office of Legislative Services (OLS) will craft a New Jersey version of these bills, next step is to identify sponsors and plan for Spring passage and PR

Discussion regarding NJPA Executive Board involvement, NJPA activities during May including a Lobby Day

G. Legislative Events – (A) Benson (Buchanan), (A) Greenwald (Bombardieri), (A) Eustace (Weiss), (A) Schaer (Buchanan)

Bombardieri reported good outcomes from all, very impactful, legislators like to see NJPA members at their events

H. 2016 COLA Recruitment – Launch

Begins in June/July and nominations to the November 11 COLA meeting and the Executive Board on November 23

Members rotating off: Buchanan, DaSilva, Katz

Dranoff recommended Peter Vietze, PhD - Montclair State University professor

NJPA/GS Chair will follow up on their representation

Need to identify Chair - Elect (nomination needed, all interested are encouraged to speak with Hulon) and Secretary (someone expressed interest)

IV. 2015 Legislative Priorities Update

A. A2714/S1993 Requires continuing education for licensed practicing psychologists [(A) Giblin, Sumter] [(S) Barnes] Passed Assembly/ Passed Senate Committee- waiting to be posted – for Senate Floor vote

http://www.njleg.state.nj.us/2014/Bills/A3000/2714_I1.PDF

- Will be posted on Senate Floor on June 25 or 29
- 45 days for Governor to sign; will be extended due to the summer break and elections
- Met with the Governor’s office, they were supportive
- NJPA CEU Task Force work product will be shared with COLA, the NJPA Executive Board, and then share with the BOPE


http://www.njleg.state.nj.us/2014/Bills/A3000/2892_I1.PDF

- Speaker may put it on the Assembly floor for a vote in lame duck
Meeting scheduled with the Sponsor to discuss

C. S2180 /A3450 Requires certain health benefits plans to provide treatment for behavioral health care services when determined medically necessary. [(S) Gordon/ (A) Mainor] Hearing Date TBD Senate Budget Committee [http://www.njleg.state.nj.us/2014/Bills/S2500/2180_S1.PDF]

- Coalition is weakening; Carrier Clinic is no longer involved; Coalition could focus on outpatient services going forward
- Bill in the budget committee now, then summer break
- Meet with Gordon to re-evaluate and perhaps narrow the scope of the bill to enable its passage

Update on Regulations Committee
- Katz provided update that the BOPE will not rule on any substantive changes during sunset period
  - BOPE agreed with some of our minor changes
  - Katz requested a parallel conversation about board changes to implement after the sunset law. The DAG had questions that Katz answered. The board agreed to meet with Katz later this year to talk about moving forward.
  - Another option for changes could be a legislative

Next Meeting Date is October 14, 2015

Topics for next meeting:
- Update our legislative priorities list
  - Perhaps consider short-term and long-term priorities
  - Look at APA’s priorities for ideas
- Review NJPA CEU Task Force recommendations
  - Discussion of definition of domestic violence (e.g., child/elder abuse)

V. Meeting adjourned at 9pm

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   [(S) Gordon/ (A) Mainor] Hearing Date TBD Senate Budget Committee
   http://www.njleg.state.nj.us/2014/Bills/S2500/2180_S1.PDF
   • Coalition is weakening; Carrier Clinic is no longer involved; Coalition could focus on outpatient services going forward
   • Bill in the budget committee now, then summer break
   • Meet with Gordon to re-evaluate and perhaps narrow the scope of the bill to enable its passage

Update on Regulations Committee
• Katz provided update that the BOPE will not rule on any substantive changes during sunset period
  o BOPE agreed with some of our minor changes
  o Katz requested a parallel conversation about board changes to implement after the sunset law. The DAG had questions that Katz answered. The board agreed to meet with Katz later this year to talk about moving forward.
  o Another option for changes could be a legislative

Next Meeting Date is October 14, 2015

Topics for next meeting:
- Update our legislative priorities list
  - Perhaps consider short-term and long-term priorities
  - Look at APA’s priorities for ideas
- Review NJPA CEU Task Force recommendations
  - Discussion of definition of domestic violence (e.g., child/elder abuse)

V. Meeting adjourned at 9pm

Committee on Legislative Affairs (COLA)  
October 14, 2015 Minutes  
7:00-9:00 pm  
NJPA Central Office

COLA Members: Buchanan (Secretary) (absent), DaSilva (Past-Chair) (absent), Dranoff, Gayle (NJPAGS Rep) (absent), Gorman, Hagovsky (Chair-Elect), Hanbury, Katz (NJPA President-Elect), Newsome (Chair), Singer, and Weiss,  
COLA Guests: Axelbank, Evers, Waters  
NJPA Staff: Boertzel-Smith  
GAA: Bombardieri  
NJPAG Guest: Brendan Graziano

I. June Meeting Minutes – approved via e-vote

II. Legislative Bills

A2888/S1039  Directs State Board of Education to develop autism spectrum disorder endorsement and requires all teacher preparation programs to include a special education component.  
[(A) Benson, Mukherji/ (S) Ruiz]  
http://www.njleg.state.nj.us/2014/Bills/A3000/2888_I1.PDF  
Hagovsky, Gayle  
Discussion: NJEA has no position; question about the extent of services a teacher with these 6 credits can provide to students; Dept. of Education still reviewing the bill; will wait to see what points they have and put on agenda again in the future.  
Position: MONITOR

A4661 Requires certain professional boards to report licensure exam passage rates.  
[(A) Moriarty, Diegnan, Jimenez, Ciattarelli]  
http://www.njleg.state.nj.us/2014/Bills/A5000/4661_I1.PDF  
Hanbury, Gorman  
Discussion: unclear how these numbers will be used, may promote transparency  
Position: MONITOR

A4582 "Drama therapists and Dance/Movement Therapists Licensing Act."  
[(A) McKeon]  
http://www.njleg.state.nj.us/2014/Bills/A5000/4582_I1.PDF  
Weiss, Gayle  
Discussion: concern regarding their scope of practice, including their ability to make DSM-5 diagnoses and perform clinical assessments.  
Position: OPPOSED

[(S) Beck/(A) Lampitt, Vainieri Huttle, Mosquera]
http://www.njleg.state.nj.us/2014/Bills/A4000/3834_R1.PDF

Katz, Singer
Discussion: amendment to existing bill for physician to physician training regarding suicide prevention, and this existing bill does not involve psychologists. This bill amends current law to specify those providers who treat a pediatric population.

Position: NO POSITION

S2898/ 3726  Authorizes medical marijuana for qualifying patients with post-traumatic stress disorder.

[(S) Scutari, Whelan/ (A) Mazzeo, Stender, Eustace, Gusciora ]
http://www.njleg.state.nj.us/2014/Bills/A4000/3726_I1.PDF

Hanbury, Singer
Discussion: This bill adds the diagnosis of PTSD to current law. Is there enough research to support use of marijuana in treatment for PTSD? Psychologists do not seem to be directly involved with this legislation.

Position: NO POSITION

S3153  Requires psychological examination of person charged with unlawful possession of firearms and other weapons in certain circumstances.

[(S) Lesniak]
http://www.njleg.state.nj.us/2014/Bills/S3500/3153_I1.PDF

Hagovsky, Dranoff
Discussion: What is the scope of this assessment? Beyond assessing competency to stand trial, should the assessment also include risk assessment and/or mental health assessment? Should we suggest amendment to expand the scope of the assessment?

Position: SUPPORT and SEEK AMMENDMENT

Seek amendment to expand scope the assessment to add violence risk assessment; Hanbury/Dranoff will provide definition of psychological violence risk assessment to John Bombardieri

S3210/A4498 Requires health benefits coverage for juvenile depression screenings.

[(S) Vitale, Weinberg/ (A) Lampitt]
http://www.njleg.state.nj.us/2014/Bills/A4500/4498_I1.PDF

Weiss, Dranoff
Discussion: does not directly involve psychology

Position: NO POSITION

III. Legislative Report (Bombardieri)
A4445/ S3068 Limits payments under health benefits plans to in-network amounts in certain circumstances; prohibits out-of-network health providers from charging carriers more than 150 percent of Medicare rate in certain circumstances.
Discussion: Per Bombardieri- clarification that psychologists, including those in private practice, would be affected by this bill; we have provided a memo to the legislator on this bill regarding our concerns (e.g. this bill could force providers to be in-network and will cause out of networks rate to hinge on Medicare rates, which fluctuate.

Position: OPPOSE

S20/A4444 The "Out-of-network Consumer Protection, Transparency, Cost Containment and Accountability Act."

Discussion: Per Bombardieri - although intent of bill is for hospitals, the bill does include psychologists in private practice. Definition needs clarification, because intent of the bill is not to impact psychologists in private practice but rather the health care facility.

Position: SEEK AMMENDMENT

IV. Other Business

A. Announcement of 2016 COLA Positions – Chair-Elect and Secretary

Chair Elect: Mark Singer
Secretary: Ashley Gorman

B. Vote on 2016 COLA Resource Guests

Buchanan, Suzanne    PsyD
Waters, Virginia, PhD/ Evers, Sean, PhD (share RxP guest position)

New Names (see CVs)

Dranoff, Mihaela PhD
Shivers, Stacie D MS

Vote: Approved

C. Announcement of Potential New COLA Members – for November 6, 2014 Executive Board Vote

New Names (See Bios)

 Sofair-Fisch, Tamara   PhD
 Lee, Alan J   PsyD
 Axelbank, Jeffrey H PsyD

Vote: Approved

D. Bombardieri Past Bills Update

A4416 Establishes Behavioral Mental Health Advisory Board in Division of Mental Health and Addiction Services in DHS.

[(A) Mosquera, Schaer]
Reviewed by Weiss and Dranoff – Suggested seeking amendment to include psychologists via the New Jersey Psychological Association; Weiss volunteered to join if such an appointment were made available

Position: Support and seek amendment to include NJPA

Bombardieri meeting with Assemblywoman Mosquera
Update: Assemblywoman Mosquera has agreed to amend the bill to include psychologists. Weiss has volunteered to serve on advisory board as a NJPA representative. Bombardieri will follow-up with status of amendment.

A4231/S2729 Authorizes health care practitioners to provide health care services through telemedicine.

[(A) Lampitt, Coughlin, Conaway/(S) Vitale, Whelan] Weiss, Dranoff

COLA Discussion: The benefit of gaining reimbursement from insurance for this level of service. Telemedicine would not include use of telephone (audio only); phone and text not secure; issue of “who is a doctor?” Will this bill expand scope of practice for M.D. only? Not clear if psychologists are excluded from this bill, but it seems that we as psychologist would be operating our own licensing board. Bombardieri: He will have a discussion with OLS and sponsor regarding audio issue—specifically that mental health professionals be permitted to use an “audio-only” method of communication under the heading of telemedicine. He will get clarification on doctor/scope of practice question. Position: Support and Seeking Amendments

Bombardieri meeting with Assemblywoman Lampitt

Per Bombardieri: Sponsor’s intent was not to allow audio due to concerns about verifying the identity of someone over the phone. The intent of bill includes Skype. Group discussion: Concern expressed that Skype is not HIPPA approved (not secure). Discussed whether there are methods to verify identity with audio alone. There are other services requiring patient and doctor to subscribe to verify identification of patient and doctor. Bombardieri is meeting with sponsor of the bill (Vitale) next week-will discuss. There has been no conversation with OLS as of yet.

E. Medicaid Task Force – Update (Axelbank)

APA Medicaid Advocacy – State Initiatives

Boertzel-Smith, Axelbank, and Newsome spoke with Caroline Bergner, JD and Stacey Larson, PsyD, JD, to discuss the working with the state psychology leadership to make sure that licensed psychologists can be reimbursed fully as independent providers in Medicaid, and to allow psychologists to supervise doctoral level interns for purposes of reimbursement. Their goal is to change the Medicaid reimbursement rules where needed to allow for the full recognition of licensed psychologists (including the use of H&B codes) and to push for intern reimbursement when supervised by a licensed psychologist under Medicaid. Currently, they have six target states with which they have made contact on this issue: DC, Maryland, Missouri, North Carolina, Oregon, and Virginia. They are initially only looking to add 1-2 more states, with more to come later. For a state to be “ripe” to advocate for full independent reimbursement for psychologists under Medicaid and/or reimbursement of interns, APA is looking for - 1. States that have psychologists participating in Medicaid as full independent providers; 2. State associations that are “active” in this cause; 3. State grassroots efforts to make change. They noted that Minnesota had a legislative victory, and Ohio and Arkansas had regulatory changes in their states. They want to work with New Jersey.

September 28, 2015 – APA Phone Call

Proposal – Internship Reimbursement for 2016 BoPE Regulations Sunset (introduce the idea) Educate State about interns, qualification, and give them scope of the accurate number of new providers – Present to CMS.
October 6, 2015 Meeting with Assemblywoman Huttle

Update: bill passed Senate Health Committee with near unanimous vote; discussed amendments: 1-define market rates; suggested matching Medicare rate; 2-bill as written lists evidence based services, around 250 evidence based treatments are listed, although many services not relevant to psychological services—change to “services offered by a licensed mental health professional.” 3-addition of psychological interns as eligible for reimbursement through Medicaid with supervision. Assemblywoman Huttle receptive to suggestions. Survey of psychologists will be replicated in more formalized way to update survey from two years ago.

F. Psychologists for the Promotion of Child Welfare (PPCW) workgroup – Update
Meeting on September 10 – Public Defender issue.
Update: September 10 meeting was cancelled
Barry Katz had positive meeting with key personnel at DCF conference

G. Legislator of the Year Update -
Senator Weinberg - October 24, 2015 Fall Conference luncheon

H. Legislative Events –
(A) Langana September 24, 2015 6pm Cliffside Park, NJ (Hagovsky)
(S) Vitale October 21, 2015 12:00 pm Trenton, NJ (Buchanan)
(S) Gill October 27, 2015 6pm Montclair, NJ (Katz)

I. Mental Health Community Outreach Invitations - September 24, 2015 Southern New Jersey Developmental Council. Newsome attended the event and is making good connections.

V. 2015 Legislative Priorities Update

A. A2714/S1993 Requires continuing education for licensed practicing psychologists
[(A) Giblin, Sumter] [(S) Barnes]
http://www.njleg.state.nj.us/2014/Bills/A3000/2714_I1.PDF
Update: On Governor’s desk. The bill shall be signed or vetoed by the date the Assembly comes back into session, approximately November 9, or it automatically becomes law.

B. A2892/S1864 Grants prescriptive authority to certain psychologists
[(A) Diegnan] [(S) Weinberg ]
http://www.njleg.state.nj.us/2014/Bills/A3000/2892_I1.PDF
Update: Bombardieri has meeting request with Diegnan to discuss schedule and timing issues for Senate meetings.

C. S2180/A3450 Requires certain health benefits plans to provide treatment for behavioral health care services when determined medically necessary.
[(S) Gordon/ (A) Mainor] Hearing Date TBD Senate Budget Committee
http://www.njleg.state.nj.us/2014/Bills/S2500/2180_S1.PDF
Update: Waiting for amendment to outpatient services only to be approved by Gordon.

VI. Meeting Adjournment
Next Meeting Date is November 11, 2015 7pm NJPA Central Office
Meeting adjourned at 9:15pm
Respectfully Submitted,

Ashley Gorman, Ph.D., ABPP
interim COLA secretary

COMMITTEE ON LEGISLATIVE AFFAIRS (COLA)
November 11, 2015 Minutes
7:00-9:00 pm
NJPA Central Office

COLA Members: Buchanan (Secretary), DaSilva (Past-Chair), Gorman, Hagovsky (Chair-Elect), Hanbury, Katz (NJPA President-Elect), Newsome (Chair), Singer, and Weiss
COLA Guests: Axelbank, Evers, Barbara Lauer-Listhaus, PsyD
NJPA Staff: Boertzel-Smith
GAA: Bombardieri

I. Welcome
Introduction of Barbara Lauer-Listhaus, PsyD

II. October Meeting Minutes – approved via e-vote

III. New Legislative Bills
S3214 Requires each institution of higher education to establish Sexual Violence Prevention Advisory Board.
[(S) Barnes, Cunningham]
http://www.njleg.state.nj.us/2014/Bills/S3500/3214_I1.HTM
http://www.njleg.state.nj.us/2014/Bills/S3500/3214_S1.PDF
Katz, Dranoff
COLA Discussion:
  o Geared toward preventing violence against the LGBT community
  o Board would be constituted with college students, unclear role and responsibilities
  o Little/no role for NJPA or psychologists

Position: No position

S3218 Makes reforms to mental health treatment; clarifies law governing purchase of firearms by persons with history of mental illness.
[(S) Kean, Holzapfel]
http://www.njleg.state.nj.us/2014/Bills/S3500/3218_I1.PDF
Hanbury, Singer
COLA Discussion:
  o Some advantages to the bill
  o Some confusion on bill’s language:
    ▪  Who should be allowed to access a firearm
    ▪  “Involuntary outpatient” or did they intend to state “court-ordered therapy”
    ▪  Training of police officers – notable omission of Commissioner’s Training Academy
      •  Could psychologists be included in designing and delivering the training
Psychologists and psychiatrists were exempt from needing additional mental health screening
Psychologists could be added and independently able to determine risk

Bombardieri: Governor’s bill, this is a response to gun bill he vetoed, could be a model bill from the NRA; Senate overrode, Assembly probably won’t override; next session other pieces of legislation will be introduced and can be reviewed; Senate President not moving this bill; helpful to review elements of these bills and be prepared to articulate essential elements from NJPA perspective

Position: Monitor

S3220 Establishes Statewide health data system. 
[(S) Sweeney, O’Toole, Vitale] 
http://www.njleg.state.nj.us/2014/Bills/S3500/3220_I1.PDF
Weiss, Gorman

COLA Discussion:
- Doesn’t affect us as psychologists
- Creating a centralized database of de-identified data, possibly request clarification on when data would be de-identified, IRB oversight

Position: No position

IV. Other Business

A. Bombardieri Past Bills Update
A4498/ S3210 Requires health benefits coverage for juvenile depression screenings. 
[(A) Lampitt/ (S) Vitale, Weinberg] 
http://www.njleg.state.nj.us/2014/Bills/A4500/4498_I1.PDF
Reviewed by Dranoff, Gayle, and Katz
Suggested amendment to include mental health professionals working in collaboration with medical professionals; Bombardieri could have a conversation with Asw. Lampitt
Position: NJPA - support, seeking amendment to include mental health professionals working in collaboration with medical professionals (6/17/15). Bombardieri will send amendment request to Senator Vitale.
- Asw. Lampitt agreed to our amendment, will likely move in the next session

Update Telemedicine – Preparation for 2016
A4231/S2729 Authorizes health care practitioners to provide health care services through telemedicine. 
[(A) Lampitt, Coughlin, Conaway/(S) Vitale, Whelan] Weiss, Dranoff 
http://www.njleg.state.nj.us/2014/Bills/S3000/2729_I1.PDF

COLA Discussion: The benefit of gaining reimbursement from insurance for this level of service. Telemedicine would not include use of telephone (audio only); phone and text not secure; issue of “who is a doctor?” Will this bill expand scope of practice for M.D. only? Not clear if psychologists are excluded from this bill, but it seems that we as psychologist would be operating our own licensing board.
Bombardieri: He will have a discussion with OLS and sponsor regarding audio issue — specifically that mental health professionals be permitted to use an “audio-only” method of
communication under the heading of telemedicine. He will get clarification on doctor/scope of practice question.

**Position: Support and Seeking Amendments**

Sponsor’s intent was not to allow audio due to concerns about verifying the identity of someone over the phone. The intent of bill includes Skype. *Group discussion: Concern expressed that Skype is not HIPPA approved (not secure). Discussed whether there are methods to verify identity with audio alone. There are other services requiring patient and doctor to subscribe to verify identification of patient and doctor. Bombardieri is meeting with sponsor of the bill (Vitale).*

- Seeking telephonic option and Sen. Vitale is working on this
- NJ law may supersed HIPAA laws on confidentiality
- Bill will likely move in the next session
- Psychologists will be added to the language
- Can consider our own bill

**B. Medicaid Task Force Update - S2374/A3717 Increases Medicaid reimbursement rates for certain evidence-based behavioral health services.**

[http://www.njleg.state.nj.us/2014/Bills/S2500/2374_I1.PDF](http://www.njleg.state.nj.us/2014/Bills/S2500/2374_I1.PDF)

[(S) Vitale, Sarlo/ (A) Vainieri Huttle, Benson, Lagana, Sumter]

10/9/14 Fast -Track NJPA Support

**Medicaid Task Force Update**

- Russ Holstein offered to conduct the Medicaid survey again
- Doris Schueler will be surveying public clinics to ask about their wait times

**NJPA Suggested Bill Amendments**

1) Add a definition of “market rates”
2) Have parity between Medicare and Medicaid rates for the same mental health services
   a. Or, at least, raise the current rate of around $37 to $100 per session
3) Define that services are being provided by “a licensed mental health care professional”
4) Allow for reimbursement for psych interns and students who work under supervision
5) Provide student loan forgiveness to entice psychologists to take Medicaid patients
   o Bombardieri will check with Asm. Benson

**Agreed Upon Bill Amendments -**

1) Have market rates be defined by whatever the Medicare rate is (#1 and 2 from above)
2) Make it “licensed health care professional” (#3 from above)

**Agreed for future legislation**

1) Loan Forgiveness - “We will also consider the student loan forgiveness bill as a separate bill, but not add that into this legislation.” (#5 from above)
2) Allow for reimbursement for psych interns and students who work under supervision (#4 from above) – first need to determine if it is a regulatory or legislative issue

**C. Psychologists for the Promotion of Child Welfare (PPCW) workgroup Update -**

- Next meeting is November 20
- Waiting on meeting with Governor’s policy advisors
Continuing problems at the county level in terms of inconsistencies across county offices and approval for sufficient time for psychological evaluations

D. Legislator of the Year Update -
Senator Weinberg - October 24, 2015 Fall Conference luncheon
- Went well
- Discussed reviewing legislators on an annual basis

E. Legislative Events –
(S) Vitale October 21, 2015 12:00 pm Trenton, NJ (Buchanan)
(S) Gill October 27, 2015 6pm Montclair, NJ (Katz)
- Discussed ideas to increase the number of NJPA members who can attend these events, suggestion to ask existing NJPA leadership (e.g., Executive Board, committee chairs)
- Discussed preliminary ideas for a Legislative Day for NJPA – maybe a day in March 2016, will pick date once the legislative calendar is available in January, 4-5 people at a time

F. May Mental Health Awareness Bill – Update
Trenton Legislative Day, May 2016
- Will be introduced in January
- Sen. Weinberg and Asm. Eustace are sponsors

V. 2015 Legislative Priorities Update

A. A2714/S1993 Requires continuing education for licensed practicing psychologists
[(A) Giblin, Sumter] [(S) Barnes] Signed into Law
http://www.njleg.state.nj.us/2014/Bills/A3000/2714_I1.PDF
- Signed into law on 11/9/15
- NJPA should initiate to BOPE to offer recommendations
- NJPA created a Mandatory CE Committee – will be meeting December 2nd
  - All suggestions welcome
- Suggestions
  - Dranoff, as COLA listserv monitor, shall respond to CE comments on the listserv to reassure and educate listserv members, with the assistance of other COLA members. The statements should follow Boertzel-Smith’s published email language. The CE Advisory Group will publish updates once they meet.
  - Develop FAQ for website and post link to the webpage (e.g., timing questions on this current license cycle, will it be retroactive?, NJPA is at the forefront of this issue: protecting the membership and making recommendations to the BOPE that make sense for the membership)
  - Consider a forum for this topic

B. A2892/S1864 Grants prescriptive authority to certain psychologists
http://www.njleg.state.nj.us/2014/Bills/A3000/2892_I1.PDF
Asm. Diegnan wants bill heard in the Assembly on December 10th, question will there be enough time in lame duck session, fairly confident it will be passed by the Assembly

Sen. Gill conversation re: timeline, Sen. Gill will discuss with Senate President

Analyzing timetable in the next few days

Possible support from Sussex County NAMI and statewide NAMI

C. S2180 / A3450 Requires certain health benefits plans to provide treatment for behavioral health care services when determined medically necessary.

[S) Gordon / (A) Mainor] Hearing Date TBD Senate Budget Committee

http://www.njleg.state.nj.us/2014/Bills/S2500/2180_S1.PDF

Coalition had meeting with Sen. Sarlo, Chairman of Budget Committee, sent an aide to the meeting, aide understood the amendments, fiscal impact needs to be updated given the amendments, creating delays; unlikely to be passed this session

NJPA (Bombardieri), Social Work (Sabath), MFT (Torok), Clinical Social Workers (Shagawat) others not joining in because of low likelihood of passage

Go back to the drawing board and consider stronger sponsors and carving out smaller requests

VI. 2016

2016 Calendar distributed

- Boertzel-Smith will send electronically
- January 20 RETREAT, 5pm-9pm
- March 23
- May 18
- June 8
- October 19
- November 9

Discussion of video participation

- Need a microphone and speakers

Potential 2016-2018 Legislative Priorities (January 20, 2016 Retreat Discussion)

- Telepsychology
- Access to Mental Health Care – Medicaid
- RxP
- Medical Necessity

VII. Meeting Adjournment 8:50pm

Respectfully Submitted,
Suzanne Buchanan, Psy.D., BCBA-D