Auto Casualty, Workers' Comp

Enlyte Lobbying Outlooks for 2024

January 16, 2024
4 MIN READ
Author profile image

Trevor Davis

Director, Regulatory Affairs

While we can't predict the future, we can help shape it!

At Enlyte, our team of experts are continually monitoring emerging trends, keeping abreast with legislation and case law, and lobbying to help shape these complexities today and into tomorrow for the benefit of our customers and the industry. While we can't predict the future, as we enter the 2024 Presidential Election and legislative year, we feel confident it will be an interesting one!

In order to successfully navigate these regulatory complexities, Enlyte works closely with our industry trade associations, as well as contracts with multiple outside lobbying firms, to help advance our combined efforts across all of our business lines, including workers' compensation, auto 1st and 3rd party, pharmacy, and networks.

Key states where Enlyte's lobbyists are focused include Arizona, Florida, Georgia, Indiana, Missouri, Michigan, and New Jersey. It is important to note that the insurance industry is not static, and changes can occur at any time. Enlyte continues to closely monitor for any potential shifts in the landscape and stand poised to respond.

In Arizona, the 2024 session will begin in January and typically runs 100 days. Last year, due to unusual political circumstances, it kept going well beyond so there really isn't a hard and fast date for it to end. Arizona is one of the states we are considering for promoting our model Pharmacy Benefit Management (PBM) legislation, with Brian Allen, VP of Government Affairs, working with our lobbyists and other stakeholders to help move that forward.

In Florida, the session is relatively short, running from January to March, and based on the trends we have noticed over the last six years, the consistent reduction in rates for workers' compensation insurance is one of the indicators currently in the legislature indicating little appetite for change for significant workers' compensation reform. On the auto side, SB 464 was introduced on November 15, 2023 to repeal personal injury protection (PIP) in Florida, yet again.

In Georgia, this is a relatively short session running from January to March. Civil remedy reform is the primary focus, similar to what was engaged in Florida. One of the key areas of concern in the insurance industry is the rise of nuclear verdicts, particularly in states like Georgia. These are verdicts where the damages awarded exceed $10 million. Over the past 18 months, Georgia has seen 33 nuclear verdicts, a trend that is causing concern among insurers. This trend is not only limited to Georgia but is also prevalent in other states like South Carolina and Louisiana. The rise of nuclear verdicts is largely driven by organized plaintiffs and the use of outside services, which is something the industry needs to keep their pulse on. Enlyte is well positioned to participate in the movement that's already going on in Georgia.

In Indiana, this is another short session, running from the second week in January to the middle of March. We expect Indiana to be a relatively quiet state this legislative session, however, the industry is closely monitoring potential changes to the Medicare multiplier utilized for paying workers' compensation facility bills, which the likelihood of this happening is currently low.

In Michigan, this is a long session running from January 10th to the end of December. Enlyte remains very active in working with other trade associations, our customers, and lobbyists for no fault reform.

In Missouri, Enlyte does not anticipate significant substantive changes to the workers' compensation medical bill payment structure, either legislatively or on the regulatory side. Our approach in this jurisdiction has been one of incremental procedural change, which has produced a limitation for filing medical fee disputes. We are evaluating additional ways to strengthen the use of the negotiation aspects of Missouri's fee dispute process. In Missouri, Auto remains relatively quiet and stable.

Finally, in New Jersey, this is another session that runs all year from January 9th to the end of the year. With the support of the physician's association in New Jersey, and no opposition from the hospital side, we continue to actively pursue a bill sponsored by Enlyte to impose a two-year statute of limitations for medical fee disputes. Most of the opposition we are seeing is coming from the plaintiffs' bar and we are doing what we can to work around it.

We look forward to an exciting 2024 legislative year! As shared, while we can't predict the future, Enlyte, along with our trade and lobbyist partners, stand poised and ready to respond to any potential shifts in the landscape and leverage opportunities to help shape the future for our industry.



©2022 Enlyte Group, LLC.

mitchell | genex | coventry