

FNA Legislative Update
by Anna Small, Legislative Counsel
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This past week ended in a marathon session of the House which included rarely used procedural techniques due to disagreements between House Democrats and Republicans. Unfortunately for Florida's nurses, two bills which will affect nursing practice fell prey to these procedural maneuvers. This Session has been, and continues to be, a tense one, and so far only 25 of the over 2000 bills filed have passed both chambers of the legislature.

Shortly before lunch time on Friday, an education bill was being debated in the House. The Democrats objected to some of the provisions and the Republicans used a rarely invoked rule to cut off debate on the bill. Angered by this maneuver, the Democrats also used a rarely invoked rule to force every bill to be read in full. It took approximately two hours for the readers to read the next bill. The Session continued on into the evening and ultimately finished around 2 AM. The atmosphere was tense on the Floor of the House as Marco Rubio commanded the Representatives to stay seated and for a time cut off all internet access.

Also presumably due to the partisan conflict, three bills sponsored by Democrats were re-referred to the Rules Committee from the House Floor. Our Clinical Nurse Specialist Bill was one of these bills, as well as the HIV/AIDS Education Bill. These two bills were about to be voted on. Both have also passed in the Senate. It is unclear if these bills will be taken up on the House Floor again this session.

On Thursday Representative Aaron Bean reportedly told members of the Healthcare Council that revenues were even lower than expected and the members should be prepared to find more ways in which to cut money out of the healthcare budget.

We were able to negotiate a compromise on a bill which would have restricted ARNP and PA owned clinics from purchasing drugs, except under very limited circumstances. Language in a bill which concerns us is the way in which clinics purchase drugs from wholesale pharmaceutical companies which could have limited the ability of ARNPs to make these purchases. We were able to negotiate compromise language which will continue to allow ARNPs to purchase wholesale drugs. The bill is scheduled to be heard today and Tuesday in the Senate before it goes to the Floor. It has already passed in the House.

Members of the Florida Nurses Association participated in a press conference at the invitation of Governor Crist in support of his health insurance plan which would provide low cost health insurance policies and permit expansion of Kidcare. Kathy Whitson, RN from Tallahassee stood with the Governor during the press conference in support of the plan. FNA Board member, Deborah Braham traveled from Jacksonville to Tallahassee on Friday night for the Florida Conference of Black State Legislators Foundation Gala. While House members were still in Session, Senators and other public officials were present.

SB 1598/ HB 709, which would require coverage of special infant formulas for infants who have true milk protein allergies continues to move through committees. The bill was amended to include ARNPs and PAs as prescribers for these special infant formulas in the Senate. It is still unclear if the House will take up the bill. It has to be heard in Healthcare Council which will meet tomorrow (Tuesday). Since it is so late in the Session, committees only have to give two hours notice if they decide to hear a bill. The bill is up in its final committee of reference in the Senate tomorrow, but we still do not know about the House Healthcare Council. Please urge Chairman Aaron Bean to put this bill on the agenda:
aaron.bean@myfloridahouse.gov.

Safe Patient Lifting

SB 508/ HB 471 by Senator Saunders and Representative Patronis

This bill is an example of FHA, FNA, and SEIU working together to support legislation which will protect our direct care nurses from injury. This bill has passed in the Senate and needs to be placed on the agenda in House Healthcare Council. There has been no movement on this bill in many weeks and the last meeting of House Healthcare Council is tomorrow.

Clinical Nurse Specialist Bill

SB 736/ HB 285 by Senator Saunders and Representative Kiar

This bill specifies a second criteria for licensure as a CNS. An applicant must have a valid RN license, a masters degree in a clinical specialty and either, 1) board certification, or 2) 1000 hours of clinical experience within his or her specialty, which is in an area in which there is no board certification available. This bill has passed in the Senate and was read for a second time on Wednesday of last week. The day of the bill's third reading in the House was Friday when partisan politics intervened and the bill was referred back to the Rules Committee. It is unclear what will happen now.

Clinical Laboratories Bill

SB 716/ HB 695 by Senator Fasano and Representative Garcia

This bill will add ARNPs to the list of providers from whom clinical laboratories are mandated to accept specimens. The bill needs to be heard on the House Floor, but in the present climate in the House, this is unlikely to happen. Hopefully House Democrats and Republicans will be able to resolve their issues, so that bills like this one can be heard.

Improving Patients' Access to Care

SB 972/ HB 515 by Senator Saunders and Representative Zapata

This bill is intended to improve patients' access to care by permitting controlled substance prescriptive privileges for ARNPs whose practice location is in Medically Underserved Areas and Medically Underserved Populations as defined by Health and Human Services. There has been no movement this week on this bill.

HIV/AIDS Educational Requirements

HB 153/ SB 646 by Senator Margolis and Representative Cusack, RN.

A couple of years ago we amended the requirement that health care providers take HIV/AIDS continuing education courses every two years. We supported that legislation because the medical care of HIV and AIDS is not changing as rapidly as it once was and the repetition of the same course every two years was redundant. However, the law which governs certain types of facilities was not changed and the employees of the facilities must still take the HIV/AIDS course every two years. This bill has passed on the Senate Floor but was one of the bills referred back to the House Rules Committee when conflict arose on the House Floor Friday. The fate of this bill is presently uncertain as well.

School Nurse Services

SB 1650/ HB 495 by Senator Dave Aronberg and Representative Grimsley, RN

This bill would allow school nurses to have certain amounts of epi-pens on hand for use in case of emergency in schools. FNA will support this bill which will make it a little bit easier for school nurses to meet the needs of the children they serve. There has been no movement on this issue.

Consumer Access to Healthcare Act

SB 1488 and HB 1435 by Senator Dean and Representative Zapata

This Bill will require that hospitals provide each patient with an estimate of the costs of services for elective procedures and an itemized bill. The Bill will also require hospitals to report cost information on the top 100 most frequently conducted procedures as well as the top most frequently used medications and supplies. The information will be reported to AHCA and then posted on a website. The intent of the bill is to assist Floridians who are uninsured or underinsured as they attempt to become educated consumers. More Floridians are being forced to pay out of pocket for their healthcare services and studies have shown that consumers are grossly undereducated when it comes to being aware of healthcare costs. The information is meant to provide consumers with a point of reference when they are negotiating their own healthcare costs. Healthcare pricing has been traditionally covered with a veil of secrecy and this act will remove the veil so Floridians may make their healthcare decisions as educated consumers. As patient advocates, the nurses of the Florida Nurses Association support this bill because it will assist Floridians in advocating for their own healthcare. We look forward to working with the Florida Retail Federation, the League of Women Voters, AARP, Florida PIRG, Florida Insurance Council, Humana, Inc., National Federation of Independent Businesses, and the Florida Petroleum Marketers on this important bill. The bill has passed through all of its committees in the Senate and should be heard on the Senate Floor this week. The bill was also heard in House Healthcare Council this week and passed unanimously. Since Representative Zapata is a Republican, it is possible that this bill will be heard on the House floor this week as well.

Patients Right to Know Act

SB 1186/ HB 851 by Senator Rich and Representative Brise

This bill will require hospitals to report staffing information to the Agency for Health Care Administration. The information will be available to the public and will contain information on the number of vacant positions for RNs, LPNs, and CNAs. In addition, information regarding the number of nursing providers per patient will be available. The Florida Nurses Association supports this bill as an attempt to educate the public regarding the nursing shortage and to allow the public to become informed regarding the conditions in hospitals to which they may be admitted. Analysis of the information is an important step in the process of improving working conditions for Registered Nurses within hospitals. The Bill is similar to proposed federal legislation supported by ANA. This bill has stopped moving due to lack of support of legislators on the issue.

Please continue to watch for updates from us. We are still working on funding for the Florida Center for Nursing and other healthcare programs. The atmosphere at the Capitol is tense and somewhat manic as

we enter the last couple of weeks of session. Legislators and lobbyists alike are ready for the session to end, but much work remains to be done.