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TO: Doreen Cassarino  
Jean Aertker

FROM: Allison Carvajal

RE: 2014 Legislative Report // Session Week 4

DATE: March 28, 2014

This coming week lawmakers reach the halfway mark of the 60-day legislative session and their attention turns to the budget with appropriation committee meetings Tuesday and Wednesday and floor votes with sessions scheduled Thursday and Friday.

### **THE WEEK IN REVIEW**

#### **House, Senate budgets incredibly close - will Democrats get extremely loud?**

House Democratic leaders criticized their chamber's \$75.3 billion spending plan Monday, but the opposition from the minority party is not as unified as it has been in recent years to Republican budgets.

#### **New version of school voucher bill passes House committee**

House supporters of a program that helps low-income children attend private schools, some religious, overhauled a proposal with the hope of convincing senators to pump more money into the scholarship program. The House Democratic caucus has voted to oppose the bill.

#### **Bill expanding medical powers for nurses passes Senate committee**

The House proposal would give advanced nurse practitioners more authority but it has yet to be scheduled for committee.

#### **Patronis outlines changes to permitting bill as it comes up in Senate this week**

Patronis said he's dropping a section of the bill that would allow 50-year water use permits for landowners participating in water storage programs. Environmental groups now are calling on legislators to drop the bills. "We're just fed up," said Mary Jean Yon, legislative director for Audubon Florida.

#### **Prescription insurance overhaul bill to go before Senate Banking and Insurance**

SB 1354 would expand a formula used by State Managed Medical Assistance contracts.

### **FNPN SPECIFIC ISSUES**

On the following pages you will find a list of the bills we are tracking for you and its current status. Each of these will be updated weekly during session and sent to you.

As always, call me with any questions or via email at [allison@rambaconsulting.com](mailto:allison@rambaconsulting.com)

**HB 0037 Relating to Involuntary Examinations Under the Baker Act** Campbell

Involuntary Examinations Under the Baker Act: Authorizes physician assistants & ARNPs to initiate involuntary examinations under Baker Act of persons believed to have mental illness. Effective Date: July 1, 2014

10/7/2013 HOUSE Referred to Health Quality Subcommittee; Civil Justice Subcommittee; Health & Human Services Committee

10/7/2013 HOUSE Now in Health Quality Subcommittee

2/7/2014 HOUSE Withdrawn prior to introduction

**Compare**

HB 0829 Relating to Involuntary Examinations under the Baker Act (Campbell)

03/27/2014 HOUSE Placed on Calendar, on 2nd reading

SB 1544 Relating to Involuntary Examinations Under the Baker Act (Braynon)

03/05/2014 SENATE Referred to Children, Families, and Elder Affairs; Health Policy; Appropriations

**SB 0070 Relating to Telemedicine** Joyner

Telemedicine; Providing that a health insurance policy or Medicaid may not require face-to-face contact between a health care provider and patient as a prerequisite to coverage or reimbursement for services; clarifying that the use of telemedicine technology under the supervision of another health care practitioner may not be interpreted as practicing medicine without a license; requiring the department to conduct a study, which includes the Department of Children and Families and the Agency for Health Care Administration, on options for implementing telemedicine for certain services, etc. Effective Date: July 1, 2014

8/9/2013 SENATE Filed

8/27/2013 SENATE Referred to Health Policy; Banking and Insurance; Appropriations Subcommittee on Health and Human Services; Appropriations

**Compare**

HB 0751 Relating to Telehealth (Cummings)

03/24/2014 HOUSE Now in Health & Human Services Committee

SB 1646 Relating to Telemedicine (Health Policy)

03/27/2014 SENATE On Committee agenda - Communications, Energy, and Public Utilities, 04/01/14, 9:30 am, 301 S

**Similar**

HB 0167 Relating to Telemedicine (Jones (M))

11/05/2013 HOUSE Now in Health Innovation Subcommittee

**HB 0099 Relating to Controlled Substances** Edwards

Controlled Substances: Provides that person who engages in certain acts involving specified quantities of hydrocodone or oxycodone commit

specified offenses; conforms provisions. Effective Date: July 1, 2014  
2/24/2014HOUSE On Committee agenda - Judiciary Committee, 03/03/14, 12:30 pm,  
404 H

3/3/2014 HOUSE Favorable by Judiciary Committee; 16 Yeas, 0 Nays

3/3/2014 HOUSE Placed on Calendar, on 2nd reading

**Similar**

SB 0360 Relating to Sentencing for Controlled  
Substance Violations (Bradley)

03/26/2014SENATE Read Third Time; Passed (Vote: 37 Yeas / 0 Nays)

**HB 0739 Relating to Compensation for Personal Injury or Wrongful Death Arising from Medical Injury** Brodeur

Compensation for Personal Injury or Wrongful Death Arising from Medical Injury: Provides exclusive remedy for personal injury or wrongful death arising out of medical injury; provides exceptions; creates Patient Compensation System; provides for various offices & committees; provides for independent medical review panels; prohibits certain conflicts of interest; provides process for filing application; provides for disposition of application; provides for determination of compensation when there is sufficient proof of medical injury; provides that compensation shall be offset by any past & future collateral source payments; provides for determinations of malpractice for purposes of specified constitutional provision; provides for review of appeals by administrative law judge; requires annual contributions from specified providers; provides for provider opt out option; requires annual report. Effective Date: July 1, 2014

2/6/2014 HOUSE Now in Judiciary Committee

3/13/2014HOUSE On Committee agenda - Judiciary Committee, 03/17/14, 3:00 pm,  
404 H - Workshop

3/17/2014HOUSE Workshopped by Judiciary Committee

**Compare**

SB 1350 Relating to Patient Compensation System Trust  
Fund/State Treasury (Grimsley)

03/04/2014SENATE Referred to Judiciary; Health Policy; Appropriations

**Similar**

SB 1362 Relating to Compensation for Personal Injury  
or Wrongful Death Arising From a Medical  
Injury (Grimsley)

03/04/2014SENATE Referred to Judiciary; Health Policy; Appropriations

**Linked**

HB 0741 Relating to Trust Funds/Creation/Patient  
Compensation System Trust Fund/DOH  
(Brodeur)

02/06/2014HOUSE Now in Judiciary Committee

**HB 0741 Relating to Trust Funds/Creation/Patient Compensation System Trust Fund/DOH** Brodeur

Trust Funds/Creation/Patient Compensation System Trust Fund/DOH:  
Creates Patient Compensation System Trust Fund; provides for purpose &

sources of funds of trust fund; provides for future review & termination or re-creation of trust fund; provides for contingent effect. Effective Date: on the same date that HB 739 or similar legislation takes effect, if such legislation is enacted in the same legislative session or an extension thereof and becomes law, and only if this act is enacted by a three-fifths vote of the membership of each house of the Legislature

1/27/2014HOUSE Filed

2/6/2014 HOUSE Referred to Judiciary Committee; Appropriations Committee; Health & Human Services Committee

2/6/2014 HOUSE Now in Judiciary Committee

**Compare**

SB 1362 Relating to Compensation for Personal Injury  
or Wrongful Death Arising From a Medical  
Injury (Grimsley)

03/04/2014SENATE Referred to Judiciary; Health Policy; Appropriations

**Identical**

SB 1350 Relating to Patient Compensation System Trust  
Fund/State Treasury (Grimsley)

03/04/2014SENATE Referred to Judiciary; Health Policy; Appropriations

**Linked**

HB 0739 Relating to Compensation for Personal Injury  
or Wrongful Death Arising from Medical  
Injury (Brodeur)

03/17/2014HOUSE Workshopped by Judiciary Committee

**HB 0819Relating to Department of Health**

Pigman

Department of Health: Authorizes DHSMV to provide reproductions of specified records to DOH; clarifies DOH's duties to maintain confidentiality of patient records obtained under subpoena; authorizes licensees under investigation to inspect or receive copies of related patient records; authorizes boards or DOH to waive certain fees for specified period; revises certain continuing education requirements for Board of Medicine licensees; revises provisions related to professions including certified nursing assistants, dental laboratory operators, midwives, registered dietitians, nursing home administrators, & massage therapy apprentices. Effective Date: July 1, 2014

3/18/2014HOUSE Favorable with CS by Health Care Appropriations Subcommittee; 11 Yeas, 0 Nays

3/20/2014HOUSE Committee Substitute Text (C2) Filed

3/24/2014HOUSE Now in Health and Human Services Committee

**Compare**

SB 1066 Relating to Department of Health (Grimsley)

03/27/2014SENATE Committee Substitute Text (C1) Filed

**HB 0829Relating to Involuntary Examinations under the  
Baker Act**

Campbell

Involuntary Examinations under the Baker Act: Reordering & providing definitions; updating references to DCF; authorizes physician assistants &

advanced registered nurse practitioners to initiate involuntary examinations under Baker Act of persons believed to have mental illness; provides education & continuing education requirements for such physician assistants & advanced registered nurse practitioners. Effective Date: July 1, 2014  
3/25/2014HOUSE On Committee agenda - Health & Human Services Committee, 03/27/14, 1:30 pm, 17 H  
3/27/2014HOUSE Favorable by Health & Human Services Committee; 14 Yeas, 1 Nay  
3/27/2014HOUSE Placed on Calendar, on 2nd reading

**Compare**

HB 0037 Relating to Involuntary Examinations Under the Baker Act (Campbell)  
02/07/2014HOUSE Withdrawn prior to introduction

**Similar**

SB 1544 Relating to Involuntary Examinations Under the Baker Act (Braynon)  
03/05/2014SENATE Referred to Children, Families, and Elder Affairs; Health Policy; Appropriations

**HB 0905 Relating to Health Care**

Watson (B)

Health Care: Designates act as "Florida Hospital Patient Protection Act"; requires minimum staffing levels of direct care registered nurses in health care facility; prohibits facility from imposing mandatory overtime; specifies required ratios of direct care registered nurses to patients; prohibits health care facility from using video cameras or monitors as substitutes for required level of care; requires annual evaluation of staffing levels; requires AHCA to develop uniform standards for nurse staffing requirements; prohibits health care facility from assigning unlicensed personnel to perform functions of licensed or registered nurse; authorizes direct care registered nurse to assign activities to other nursing staff; provides that direct care registered nurse has right of action against facility that violates provisions of act; prohibits facility from interfering with nurses' right to organize or bargain collectively; authorizes agency to impose fines. Effective Date: July 1, 2014

2/12/2014HOUSE Filed

2/20/2014HOUSE Referred to Health Innovation Subcommittee; Health Care Appropriations Subcommittee; Health & Human Services Committee

2/20/2014HOUSE Now in Health Innovation Subcommittee

**Similar**

SB 1026 Relating to Health Care (Braynon)  
SENATE Referred to Health Policy; Community Affairs;  
02/19/2014 Appropriations Subcommittee on Health and Human Services; Appropriations

**SB 1026 Relating to Health Care**

Braynon

Health Care; Creating the "Florida Hospital Patient Protection Act"; requiring that the chief nursing officer of a health care facility prepare a written staffing plan that meets the direct care registered nurse staffing

levels required by the act; requiring that certain documentation be submitted to the Agency for Health Care Administration and be made available for public inspection; requiring that the agency establish a toll-free telephone hotline to provide information and to receive reports of violations of the act; requiring that the agency post on its website information regarding health care facilities that have violated the act, etc. Effective Date: 7/1/2014  
2/12/2014SENATE Filed  
2/19/2014SENATE Referred to Health Policy; Community Affairs; Appropriations Subcommittee on Health and Human Services; Appropriations

**Similar**

HB 0905 Relating to Health Care (Watson (B))  
02/20/2014HOUSE Now in Health Innovation Subcommittee

**SB 1066 Relating to Department of Health**

Grimsley

Department of Health; Authorizing the Department of Highway Safety and Motor Vehicles to provide reproductions of specified records to the Department of Health under certain circumstances; clarifying duties of the Department of Health to maintain the confidentiality of patient records that it obtains under subpoena pursuant to an investigation; authorizing licensees under investigation to inspect or receive copies of patient records connected with the investigation, subject to certain conditions, etc. Effective Date: 7/1/2014  
3/20/2014SENATE On Committee agenda - Health Policy, 03/25/14, 2:00 pm, 412 K  
3/25/2014SENATE Favorable with CS by Health Policy; 9 Yeas, 0 Nays  
3/27/2014SENATE Committee Substitute Text (C1) Filed

**Compare**

HB 0819 Relating to Department of Health (Pigman)  
03/24/2014HOUSE Now in Health and Human Services Committee

**SB 1350 Relating to Patient Compensation System Trust Fund/State Treasury**

Grimsley

Patient Compensation System Trust Fund/State Treasury; Creating the Patient CompensationSystem Trust Fund within the State Treasury; providing for the purpose and source of the trust fund; providing for future review and termination or re-creation of the trust fund, etc. Effective Date: On the same date that SB 1362 or similar legislation takes effect, if such legislation is enacted in the same legislative session or an extension thereof and becomes law, and only if this act is enacted by a three-fifths vote of the membership of each house of the Legislature  
2/27/2014SENATE Filed  
3/4/2014 SENATE Referred to Judiciary; Health Policy; Appropriations

**Compare**

Relating to Compensation for Personal Injury  
HB 0739 or Wrongful Death Arising from Medical Injury (Brodeur)  
03/17/2014HOUSE Workshopped by Judiciary Committee

**Identical**

HB 0741 Relating to Trust Funds/Creation/Patient

Compensation System Trust Fund/DOH  
(Brodeur)  
02/06/2014 HOUSE Now in Judiciary Committee

**Linked**

SB 1362 Relating to Compensation for Personal Injury  
or Wrongful Death Arising From a Medical  
Injury (Grimsley)  
03/04/2014 SENATE Referred to Judiciary; Health Policy; Appropriations

**SB 1352 Relating to Health Care Practitioners**

Grimsley

Health Care Practitioners; Expanding who may prescribe brand drugs under the prescription drug program when medically necessary; excepting controlled substances prescribed by an advanced practice registered nurse from the disqualifications for continued certification or licensure as a deputy or state pilot; authorizing an advanced practice registered nurse to prescribe, dispense, administer, or order drugs in accordance with a specified formulary, if such formulary is established; requiring the Board of Nursing to appoint a committee to determine whether such a formulary is needed and specifying the membership of the committee, etc. Effective Date: 7/1/2014  
3/20/2014 SENATE On Committee agenda - Health Policy, 03/25/14, 2:00 pm, 412 K  
3/25/2014 SENATE Favorable with CS by Health Policy; 5 Yeas, 4 Nays  
3/27/2014 SENATE Committee Substitute Text (C1) Filed

**Compare**

HB 7071 Relating to Advanced Practice Registered  
Nurses (Select Committee on Health Care  
Workforce Innovation)  
03/11/2014 HOUSE Now in Health & Human Services Committee

**SB 1362 Relating to Compensation for Personal Injury or  
Wrongful Death Arising From a Medical Injury**

Grimsley

Compensation for Personal Injury or Wrongful Death Arising From a Medical Injury; Requiring the Department of Health or certain boards thereof to require the completion of a course relating to communication of medical errors as part of the licensure and renewal process; creating the "Patient Injury Act"; specifying that certain provisions are an exclusive remedy for personal injury or wrongful death; creating the Patient Compensation System; providing for a determination of compensation upon a prima facie claim of a medical injury having been made, etc. Effective Date: Except as otherwise expressly provided in this act, this act shall take effect July 1, 2014

2/27/2014 SENATE Filed

3/4/2014 SENATE Referred to Judiciary; Health Policy; Appropriations

**Compare**

HB 0741 Relating to Trust Funds/Creation/Patient  
Compensation System Trust Fund/DOH  
(Brodeur)  
02/06/2014 HOUSE Now in Judiciary Committee

**Similar**

Relating to Compensation for Personal Injury  
HB 0739 or Wrongful Death Arising from Medical  
Injury (Brodeur)  
03/17/2014 HOUSE Workshopped by Judiciary Committee

**Linked**

SB 1350 Relating to Patient Compensation System Trust  
Fund/State Treasury (Grimsley)  
03/04/2014 SENATE Referred to Judiciary; Health Policy; Appropriations

**SB 1544 Relating to Involuntary Examinations Under the Baker Act** Braynon

Involuntary Examinations Under the Baker Act; Updating references to the Department of Children and Families; authorizing physician assistants and advanced registered nurse practitioners to initiate involuntary examinations under the Baker Act of persons believed to have mental illness, etc.

Effective Date: 7/1/2014

2/28/2014 SENATE Filed

3/5/2014 SENATE Referred to Children, Families, and Elder Affairs; Health Policy; Appropriations

**Compare**

HB 0037 Relating to Involuntary Examinations Under  
the Baker Act (Campbell)  
02/07/2014 HOUSE Withdrawn prior to introduction

**Similar**

HB 0829 Relating to Involuntary Examinations under  
the Baker Act (Campbell)  
03/27/2014 HOUSE Placed on Calendar, on 2nd reading

**SB 7028 Relating to Telemedicine** Health Policy

Telemedicine; Citing this act as the "Florida Telemedicine Act"; creating licensure and registration requirements; providing health insurer and health plan reimbursement requirements for telemedicine; providing requirements for reimbursement of telemedicine services under the Medicaid program, etc. Effective Date: 7/1/2014

2/28/2014 SENATE On Committee agenda - Health Policy, 03/05/14, 1:30 pm, 412 K

3/5/2014 SENATE Submitted as Committee Bill by Health Policy; 7 Yeas, 2 Nays

3/6/2014 SENATE Committee Bill filed as S 1646

**HB 7071 Relating to Advanced Practice Registered Nurses** Select Committee on Health  
Care Workforce Innovation

Advanced Practice Registered Nurses: Redesignates ARNPs as advanced registered practice nurses (APRNs); provides for independent APRNs (IAPRNs) to practice advanced or specialized nursing; exempts IAPRNs from requirement that certain medical acts be supervised by physician; revises APRN certification requirements; authorizes APRNs to administer, dispense, & prescribe medicinal drugs pursuant to protocol; provides for registration of IAPRNs who meet certain requirements; specifies acts that IAPRNs are authorized to perform without physician supervision or



protocol; provides for eligibility of IAPRNs for clinical privileges; requires IAPRNs to maintain medical malpractice insurance or provide proof of financial responsibility. Effective Date: July 1, 2014

2/27/2014HOUSE Filed (Formerly PCB SCHW1)

3/11/2014HOUSE Referred to Health & Human Services Committee; Appropriations Committee

3/11/2014HOUSE Now in Health & Human Services Committee

**Compare**

SB 1352 Relating to Health Care Practitioners  
(Grimsley)

03/27/2014SENATE Committee Substitute Text (C1) Filed

**SCHW1 Relating to Advanced Practice Registered Nurses** Select Committee on Health  
Care Workforce Innovation

PCB SCHCWI 14-01 -- Advanced Practice Registered Nurses

2/11/2014HOUSE On Committee agenda - Select Committee on Health Care  
Workforce Innovation, 02/18/14, 3:30 pm, 17 H

2/19/2014HOUSE Submitted as Committee Bill with 1 Amendment by Select  
Committee on Health Care Workforce Innovation, 13 Yeas, 2 Nays

2/27/2014HOUSE Committee Bill filed as H 7071