

LeadingAge Florida - Legislative Tracking Report – 01/04/16

LA FL Priorities/Positions

Bill Number	Sponsor	Subject	References	Action	Status/Comments	LA FL Position
#1 Bills – Direct Impact on Members [Priorities Approved by Board - Proactively Advocate]						
HB 127 SB 542	Cummings Stargel	Continuing Care Facilities - Provides financial requirements for certain nursing homes to be designated as Gold Seal Program facilities. Effective Date: upon becoming a law	Health Innov Sub HHS Health Policy CF & EA Fiscal Policy	12/2 F/CS 11/17 F/CS 12/3 Fav	FHCA amendment to expand to multi-facility corporations owning nursing homes, ALFs, independent living facilities or a combination passed on CS/SB 542 & HB 127	Support
SB 152	Grimsley	Ordering of Medication - Revises the authority of a licensed physician assistant to order medication under the direction of a supervisory physician for a specified patient; authorizes an advanced registered nurse practitioner to order medication for administration to a specified patient; authorizes a licensed practitioner to authorize a licensed physician assistant or advanced registered nurse practitioner to order controlled substances for a specified patient under certain circumstances, etc. Effective Date: 7/1/2016	Health Policy HHS Approp Sub Approp	10/20 – Fav 11/18 Fav	Amendment and talking points prepared for HHS Approp Sub to add nursing homes; Sen. Grimsley filed amendment as a separate bill – SB 946.	Support but amend to expand settings to include nursing homes
SB 946	Grimsley	Authorized Practices of Advanced Registered Nurse Practitioners and Licensed Physician Assistants; Authorizing an advanced registered nurse practitioner to order medication for administration to patients in specified facilities; authorizing a licensed practitioner to authorize a licensed physician assistant or advanced registered nurse practitioner to order controlled substances for administration to patients in specified facilities under certain circumstances, etc. Effective Date: 7/1/2016	Health Policy HHS Approp Sub Approp			Support
SB 210 HB 423	Grimsley Pigman	Health Care - Expands the categories of persons who may prescribe brand name drugs under the prescription drug program when medically necessary; exempting controlled substances prescribed by an advanced registered nurse practitioner or a physician assistant from the disqualifications for certification or licensure, and for continued certification or licensure, as a deputy pilot or state pilot; applies existing penalties for violations relating to the prescribing or dispensing	Health Policy B & Ins Rules Health Quality Sub HC Approp Sub HHS	12/1 Fav		Support

		of controlled substances by an advanced registered nurse practitioner, etc. Effective Date: Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law				
SB 676	Grimsley	Health Care - Expands the categories of persons who may prescribe brand name drugs under the prescription drug program when medically necessary; requires a hospital to provide specified advance notice to certain obstetrical physicians before it closes its obstetrical department or ceases to provide obstetrical services; requires the Board of Nursing to establish a committee to recommend a formulary of controlled substances that may not be prescribed, or may be prescribed only on a limited basis, by an advanced registered nurse practitioner; requires that certain health insurers that do not already use a certain form use only a prior authorization form approved by the Financial Services Commission, etc. Effective Date: Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law	Health Policy B&I HHS App Sub Approp	1/11 On Agenda		
HB 313	Pilon	Prescription Drug Monitoring Program - Provides that certain postsurgical administrations of controlled substances in specified facilities (including nursing homes and ALFs) are not required to be reported to prescription drug monitoring program. Effective Date: July 1, 2016	Health Quality Sub HHS	11/17 F/CS		
SB 964	Grimsley		Health Policy CJ Fiscal Policy			
HB 301	Burton	Property Prepared for Tax-Exempt Use - Consolidates provisions relating to tax exemptions on property owned by certain tax-exempt organizations; authorizes property appraiser to serve notice of tax lien on certain otherwise exempt properties under certain circumstances; specifies entities to whom lien attaches; provides exemption; deletes provisions rendered obsolete by consolidation. Effective Date: July 1, 2016	F&T L & Fed Affs Approp		11/20 on EDR's Rev Est Conference	
SB 842	Hays		CA F&T Approp	1/11 On Agenda		
HB 325	Campbell	Involuntary Examinations under the Baker Act - Authorizes physician assistants & ARNPs to initiate involuntary examinations under Baker Act of	H Quality Sub CJ Sub HHS	11/17 F/CS 12/2 Fav	Technical amendment clarifying the definition of "physician assistant" was adopted.	

SB 572	Altman	persons believed to have mental illness. Effective Date: July 1, 2016	Health Policy Judiciary Approp	11/17 Fav		
HB 401	Gonzalez	Protection of Religious Freedom - Provides immunity from liability for health care facility, health care provider, person, closely held organization, religious institution, business owned or operated by religious institution, or private child-placing agency that refuses to perform certain actions that would be contrary to religious or moral convictions or policies. Effective Date: July 1, 2016	CJ Sub HHS Judiciary		11/13 on EDR's Rev Est Conference	
SB 662	Brandes	Public Records/Clearinghouse for Compassionate and Palliative Care Plans/AHCA - Creates an exemption from public records for identifying information in compassionate and palliative care plans filed with the clearinghouse for compassionate and palliative care plans at the Agency for Health Care Administration; authorizes the disclosure of certain information to certain entities and individuals; provides for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; provides a statement of public necessity, etc. Effective Date: On the same date that SB 0664 or similar legislation takes effect if such legislation is adopted in the same legislative session or an extension thereof and becomes a law	Health Policy GO & A Approp			
SB 664	Brandes	Physician Orders for Life-sustaining Treatment - Requires the Department of Health to develop, and adopt by rule, a physician order for life-sustaining treatment (POLST) form; requires the Agency for Health Care Administration to act as the state clearinghouse for compassionate and palliative care plans and information on those plans; authorizes a hospice care team to withhold or withdraw cardiopulmonary resuscitation if a patient has a POLST form that contains such an order; requires the Department of Health to establish circumstances and procedures for honoring a POLST form; requires a health care surrogate to provide written consent for a POLST	Health Policy HHS App Sub Approp			
HB 957	Gonzalez					

		form under certain circumstances, etc. Effective Date: 7/1/2016				
HB 965	Harrison	Firesafety -Requires State Fire Marshal to adopt uniform firesafety standards for assisted living facilities; revises provisions relating to minimum standards that must be adopted by Department of Elderly Affairs for firesafety in assisted living facilities. Effective Date: July 1, 2016				
SB 1164	Legg					
		Prospective Reimbursement – AHCA 2016-17 LBR – includes \$500,000 for development/implementation of prospective payment plan for NH services (price-based case-mix payment system)			Support funding in Governor's LBR for \$500,000 to AHCA to contract with independent consultant to develop a plan, in concert with interested stakeholders including LeadingAge Florida, to convert Medicaid payment from a cost-based reimbursement methodology to a prospective payment or similar system. Work to secure additional funding for implementation of a new plan/influence outcome of study.	Support
		Price Level Increase - AHCA 2016-17 LBR includes price level increases for NH services			Monitor budget item	
#2 Bills – Could Impact Members [No action approved by Board – Actively Monitor]						
HB 437	Sprowls	Certificates of Need for Hospitals - Deletes provisions relating to certificates of need required for new, expanded, or modified hospital construction; revises AHCA's rulemaking authority with respect to hospitals that provide certain services. Effective Date: July 1, 2016	A HC Access HC Approp Sub HHS	11/19 Fav	If amendment filed, oppose elimination of CON for nursing homes (preserve CON for nursing homes)	
SB 1144	Gaetz (D)	Certificates of Need for Health Care-related Projects - Providing an exemption from certificate of need review for certain health care-related projects; specifying conditions and requirements for the exemption; requiring a certain agreement between the project applicant and the Agency for Health Care Administration; providing penalties for failure to comply with certain requirements for an exemption to a certificate of need review, etc. Effective Date: 7/1/2016				
HB 557	Harrison	Vulnerable Adults - Provides for cause of action against exploitation of vulnerable adults by facility	CJ Sub CF & S Sub			

		providing goods & services to such vulnerable adults. Effective Date: July 1, 2016	Judiciary			
HB 885	Avila	Residential Facilities - Specifies applicability of siting requirements for community residential homes; provides applicability with respect to local land use & zoning. Effective Date: July 1, 2016	Health Innov Sub HC Approp Sub HHS			
SB 1174	Diaz de la Portilla					
#3 Bills – Monitor for Amendments [No action approved by Board – could impact members if amended]						
HB 85	Ftizenhagen	Recovery Care Services - Includes recovery care centers as facilities licensed under ch. 395, F.S.; provides admission criteria for recovery care center; requires emergency care, transfer, & discharge protocols; authorizes AHCA to establish separate standards for recovery care centers for care & treatment of patients; directs agency to enforce special-occupancy provisions of Florida Building Code applicable to recovery care centers; provides applicability of Health Care Licensing Procedures Act; exempts recovery care centers from specified minimum licensure requirements. Effective Date: July 1, 2016	A HC A Select Cmt HC Approp Sub HHS Cmt Health Policy HHS Approp Sub Approp	11/19 Fav		
SB 212	Gaetz (D)					
SB 232	Detert	Guardianship - Renames the Statewide Public Guardianship Office to the Office of Public and Professional Guardians; revises the duties and responsibilities of the executive director for the Office of Public and Professional Guardians; provides that a guardian has standing to seek judicial review pursuant to specified provisions if his or her registration is denied, etc. Effective Date: Upon becoming a law	CF & EA Judiciary Fiscal Policy CF & S Sub HC Approp Sub Judiciary	10/8 – F/CS 12/1 – F/CS/CS	Amended to correct a cross reference.	
HB 403	Ahern			11/18 F/CS		
SB 730	Margolis	Professional Guardians -Limits a professional guardian's appointments to no more than 50 wards for which the professional guardian receives compensation; prohibits a professional guardian from entering into any other contract for services or transacting additional business with a ward while serving as the ward's professional guardian, etc. Effective Date: 7/1/2016	CF&EA Judiciary Fiscal Policy			
HB 375	Steube	Physician Assistants - Authorizes licensed physician assistant to perform certain services as delegated by supervisory physician; revises	Health Quality Sub HC Approp Sub HHS	11/17 Fav 12/2 F/CS		

SB 748	Flores	circumstances under which physician assistant may prescribe medication; revises physician assistant licensure & license renewal requirements; deletes provisions related to examination by DOH; requires licensed physician assistants to report change in designated supervising physician within specified time; requires designated supervising physician to maintain list of approved supervising physicians at practice or facility. Effective Date: July 1, 2016	Health Policy HHS Approp Sub Approp	12/1 F/CS		
HB 421	Trumbull	Reimbursement of Medicaid Providers - Defines "usual and customary charge" for purposes of Medicaid billing; provides applicability. Effective Date: July 1, 2016	H Innov Sub HC Approp Sub HHS			
SB 526	Gimsley		Health Policy HHS Approp Sub Approp			
HB 439	McBurney	Mental Health Services in Criminal Justice System - Expands eligibility for military veterans & servicemembers for certain programs; authorizes creation of treatment-based mental health court programs; authorizes county court to order conditional release of defendant for outpatient care & treatment; requires Forensic Hospital Diversion Pilot Program in specified judicial circuits; provides for courts to order certain defendants on probation or community control to postadjudicatory mental health court programs; expands eligibility requirements for certain pretrial intervention programs; provides eligibility of misdemeanor defendants for misdemeanor pretrial mental health court programs; authorizes pretrial mental health court programs for certain juvenile offenders. Effective Date: July 1, 2016	CJ Sub CF & S Sub Approp Judiciary	11/17 Fav 12/2 F/CS		
SB 604	Diaz de la Portilla		Judiciary HHS Approp Sub Approp	11/17 F/CS		
SB 608	Stargel	Emergency Preparedness and Response - Provides a sales and use tax exemption for certain tangible personal property related to disaster preparedness during a specified period; authorizes the Department of Revenue to adopt rules to implement the exemption; provides an expiration date; provides an appropriation; directs the Division of Emergency Management to create a statewide	F&T T, T & ED App Sub Approp	1/11 On Agenda	11/13 on EDR's Rev Est Conference	
HB 775	Ingram		F&T ED & T Sub Approp			

		system to facilitate transport of essentials in an emergency throughout the state, etc. APPROPRIATION: Indeterminate Effective Date: Upon becoming a law				
HB 581	Magar	State Veterans' Nursing Homes - Directs DVA to contract for study to determine need for additional state veterans' nursing home & most appropriate county for home; directs DVA to submit study to Governor & Legislature; provides study criteria for ranking each county according to need; requires DVA to use specified studies to select new veterans' nursing home sites; directs DVA to conduct subsequent studies & to submit studies to Governor & Legislature. Effective Date: July 1, 2016	Health Innov Sub HC Approp Sub HHS	12/2 Fav		
HB 603	Cruz	Employment Practices - Requires employer to allow employee to take paid family care leave for certain purposes; provides employee requirements; specifies limitations & duties with respect to employer's administration of family care leave; provides family care leave requirements; provides responsibilities and powers of DEO; provides penalty for employer's failure to comply with certain requirements; authorizes employee to bring civil action against employer for violation within specified timeframe; authorizes award of specified compensation, damages, & fees; provides protections for employee who acts in good faith; prohibits employee from taking certain actions in bad faith; provides penalty; authorizes department to adopt rules; revises Florida Civil Rights Act of 1992 to prohibit specified employment practices; provides certain rights for employee who is disabled from pregnancy, childbirth, or related medical condition; reenacts & revises provisions relating to administrative & civil remedies for violations of Florida Civil Rights Act of 1992. Effective Date: July 1, 2016	ED & T Sub CJ Sub Approp Economic Affairs			
SB 384	Bullard		Commerce & T TT & ED App Sub Approp			
HB 629	Jones, M	Medicaid Managed Care -Provides additional eligibility criteria for certain persons to qualify for medical assistance payments; authorizes AHCA to apply for & implement additional state plan amendments & federal waivers to implement	Health Innov Sub HC Approp Sub HHS			
SB 856	Joyner		Health Policy			

		Medicaid managed care program; deletes requirement that agency hold public meetings; exempts certain Medicaid recipients from mandatory enrollment in managed care plans; requires Medicaid managed care plans to establish alternative benefit plans; provides supplemental plan selection process for certain Medicaid recipients; directs agency to provide notice of invitations to negotiate by specified date. Effective Date: upon becoming a law	HHS App Sub Approp			
SB 852	Brandes	Medical Marijuana - Repeals provisions relating to the compassionate use of low-THC cannabis; cites this act as the "Florida Medical Marijuana Act"; authorizes a registered patient or a designated caregiver to purchase, acquire, and possess up to the allowed amount of medical marijuana for a patient's medical use; requires a registered patient or a designated caregiver to demonstrate certain actions in order to maintain the specified protections; requires the department to notify law enforcement of the expired or cancelled identification card in certain circumstances, etc. Effective Date: 7/1/2016	Reg Industries Health Policy Approp			
HB 63	Steube		Withdrawn prior to introduction			
HB 65	Steube	Pub Rec/Low-THC Cannabis Patient Registry/DOH: Exempts from public records requirements personal identifying information of patients & physicians held by DOH in low-THC cannabis patient registry or former compassionate use registry; exempts information related to ordering & dispensing low-THC cannabis; authorizes specified persons & entities access to exempt information; requires that information released from registry remain confidential; provides penalty; provides for future legislative review & repeal; provides statement of public necessity. Effective Date: on the same date that HB 63, or similar legislation establishing an electronic system to record a physician's orders for, and a patient's use of, low-THC cannabis takes effect	Withdrawn prior to introduction			
SB 460	Bradley	Experimental Treatments for Terminal Conditions- Revises the definition of the term "investigational drug, biological product, or device"; provides for eligible patients or their legal	Health Policy C&CJ Approp Sub Fiscal Policy	11/17 - Fav 12/3 - Fav		

SB 307	Gaetz (M)	representatives to purchase and possess cannabis for medical use; authorizes certain licensed dispensing organizations to manufacture, possess, sell, deliver, distribute, dispense, and disposes of cannabis' exempting such organizations from specified laws, etc. Effective Date: 7/1/2016	CJ Sub HC Approp Sub HHS	11/17- F/CS		
SB 616	Bullard	Cannabis - Removes cannabis from the schedule of controlled substances, etc. Effective Date: 7/1/2016	Reg Ind CJ Approp			
HB 4021	Rehwinkel Vasilinda		CJ Sub Justice App Sub HHS Judiciary			
SB 116	Hukill	Tax on Sales, Use, and Other Transactions- Reduces the tax levied on rental or license fees charged for the use of real property, etc. Effective Date: 1/1/2017	CA F&T Approp	10/6 – Fav 10/20 - Fav		
HB 247	Fitzenhagen		F&T EC & T Sub Approp			
SB 692	Grimsley	Practice of Pharmacy –Cites this act as the "Access to Pharmacist Services Act"; provides duties and responsibilities of a consultant pharmacist and a doctor of pharmacy; provides for payment or reimbursement for a pharmacist's patient care services separate and apart from payment or reimbursement for prescription medications, etc. Effective Date: 7/1/2016	Health Policy B&I Approp			
HB 547	Narain		Health Quality Sub Approp HHS	1/11 On Agenda		
HB 819	Diaz (J)	Sunset Review of Medicaid Dental Services: Provides for future removal of dental services as minimum benefit of managed care plans; requires AHCA to provide report to Governor & Legislature; specifies requirements for report; provides for use of report's findings; requires AHCA to implement statewide Medicaid prepaid dental health program upon occurrence of certain conditions; specifies requirements for program & selection of providers. Effective Date: July 1, 2016	Health Innov Sub HHS			
SB 994	Negron		Health Policy HHS Approp Sub Approp	1/11 On Agenda		
HB 823	Rooney	Ethical Marketing Practices for Substance Abuse Services - Prohibits substance abuse	HHS Approp			

SB 1138	Clemens	treatment providers & operators of recovery residences from engaging in certain marketing practices; provides criminal & civil penalties for engaging in such practices; provides for deposit of civil penalties into certain trust fund; adds recovery residences as entities prohibited from patient brokering. Effective Date: July 1, 2016	Judiciary			
SB 848	Sobel	Health Care Clinic Act - Prohibits applicants for clinic licensure from having an arrest awaiting final disposition for, or having been convicted of, a felony or crime punishable by a specified term of imprisonment; provides that a licensed clinic is subject to a specified administrative penalty if its medical director or clinic director fails to ensure that a practitioner providing health care services or supplies to a patient has a valid license, etc. Effective Date: 7/1/2016	Health Policy HHS Approp Sub Fiscal Policy			
SB 918	Richter	Licensure of Health Care Professionals - Deletes the requirement that applicants making initial application for certain licensure complete certain courses; provides for the issuance of a license to practice under certain conditions to a military health care practitioner in a profession for which licensure in a state or jurisdiction is not required to practice in the military; provides for the issuance of a temporary professional license under certain conditions to the spouse of an active duty member of the Armed Forces of the United States who is a healthcare practitioner in a profession for which licensure in a state or jurisdiction may not be required, etc. Effective Date: 7/1/2016	Health Policy HHS Approp Sub Approp	1/11 On Agenda	Includes provision directing DOH to establish an electronic CE tracking system to monitor compliance with CE requirements; changes CNA in-service training requirement from 12 hours each calendar year to 24 hours during each biennium; repeals the Council on Certified Nursing Assistants	
HB 941	Gonzalez					
HB 977	Peters	Behavioral Health Workforce - Expands authority of psychiatric nurse to approve release of patient from receiving facility; authorizes procedures for recommending admission of patient to treatment facility; revises provisions relating to exemptions from disqualification for certain service provider personnel; adds psychiatry to list of primary care specialties under Statewide Medicaid Residency Program; requires ARNPs & physician assistants who prescribe controlled substances for pain management to make certain designation, comply			Adds ARNPs to the list of health care providers authorized to prescribe controlled substances or the treatment of chronic nonmalignant pain.	
SB 1250	Latvala					

		with registration requirements, & follow specified standards of practice. Effective Date: July 1, 2016				
HB 979	Peters	Behavioral Health Care Services - Revises criteria for involuntary admission for assessment, stabilization, & treatment of persons with substance use or mental health disorders; requires behavioral health managing entities to coordinate service delivery plans with their respective counties or circuits; specifies professionals authorized to execute certificate for involuntary admission; provides criteria for emergency admission; prohibits court from charging fee for filing of petition for involuntary assessment & stabilization; provides time limitation on court order authorizing involuntary assessment & stabilization; extends duration of court-ordered involuntary treatment; requires Louis de la Parte Florida Mental Health Institute to provide certain information to DCF. Effective Date: July 1, 2016			Authorizes an ARNP, among other health care professions, to execute a certificate stating that he or she has examined a person within the preceding 5 days and finds that the person appears to meet the criteria for emergency admission and stating the observations upon which that conclusion is based. (Marchman Act)	
HB 981	Richardson	Administrative Procedures: Provides additional requirements for calculation of estimated adverse impacts & regulatory costs. Effective Date: July 1, 2016				
SB 1226	Ring					
HB 953	Eisnaugle	Legislative Reauthorization of Agency Rulemaking Authority- Provides for suspension of certain rulemaking authority after specified period, until reauthorized by general law; provides for expiration of such reauthorization after specified period; provides for suspension of rulemaking authority upon expiration of its reauthorization, until reauthorized by general law; requires legislative ratification of rules adopted while rulemaking authority is suspended; authorizes Governor to delay suspension of rulemaking authority for specified period upon declaration of public necessity; provides exceptions; provides applicability. Effective Date: July 1, 2016				
SB 1150	Bean					
HB 1061	Pigman	Nurse Licensure Compact: Creates Nurse Licensure Compact; provides for recognition of licenses in party states; provides requirements for obtaining & retaining multistate license; provides	Select Cmt on AHA HC Approp Sub HHS	1/11 On Agenda		

		effect on current licensees; requires all party states to participate in coordinated licensure information system of all RNs & LPNs; provides for development of system, reporting procedures, & exchange of certain information between party states; establishes Interstate Commission of Nurse Licensure Compact Administrators; authorizes certain disciplinary action under compact for certain prohibited acts; requires Florida Center for Nursing to analyze supply & demand of nurses & make future projections; requires DOH to report significant investigative information on nurse licensee to coordinated licensure information system; requires nurse holding multistate license to report participation in treatment program to department; provides eligibility criteria for multistate license. Effective Date: December 31, 2018, or upon enactment of the Nurse Licensure Compact into law by 26 states, whichever occurs first				
HB 1063	Pigman	Public Records and Meetings/Nurse Licensure Compact: Provides exemption from public records requirements for certain information held by DOH or Board of Nursing pursuant to Nurse Licensure Compact; provides exemption from public meeting requirements for certain meetings of Interstate Commission of Nurse Licensure Compact Administrators; provides exemption from public records requirements for recordings, minutes, & records generated during closed portions of such meetings; provides for future legislative review & repeal of exemptions; provides statement of public necessity; provides for contingent effect. Effective Date: on the same date that HB 1061 or similar legislation takes effect	Select Cmt on AHA Gov Ops Sub HHS	1/11 On Agenda		
HB 1065	Pigman	Compensation for Personal Injury or Wrongful Death Arising from a Medical Injury: Provides exclusive remedy for personal injury or wrongful death arising from 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 & for disposition of application; provides for determination of compensation when				

		there is sufficient proof of medical injury; provides for review of appeals by administrative law judge; requires annual contributions from specified providers; provides for provider opt out; requires annual report. Effective Date: July 1, 2016				
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