

2008 Health-related Legislation Activity

Updated 5/20/08

The Seminole County Medical Society

Priority legislation that PASSED:

House 405 & Senate 1012: Health Insurance Claims Payments

Prohibits health insurance contracts & HMO contracts from prohibiting or restricting insureds from assigning plan benefits to noncontract providers for covered services; requires payment by insurers of plan benefits under assignment & acceptance by noncontract providers.

http://www.flsenate.gov/session/index.cfm?BI_Mode=ViewBillInfo&Mode=Bills&SubMenu=1&Year=2008&billnum=405

Priority legislation that DID NOT PASS:

House 839 & Senate 1640: ER Sovereign Immunity

Provided that certain emergency health care providers are agents of state for purposes of sovereign immunity when acting pursuant to specified statutory obligations.

http://www.flsenate.gov/session/index.cfm?BI_Mode=ViewBillInfo&Mode=Bills&SubMenu=1&Year=2008&billnum=839 .

Legislation we actively opposed that DID NOT PASS:

House 515 & Senate 972: Nurse Practitioners in Medically Underserved Areas

Authorizes advanced registered nurse practitioner to prescribe certain controlled substances under protocol with licensed physician.

http://www.flsenate.gov/session/index.cfm?BI_Mode=ViewBillInfo&Mode=Bills&SubMenu=1&Year=2008&billnum=515 .

Senate 1420: Physician Financial Responsibility Requirements

Requires each licensed facility to ensure that doctors of medicine and osteopathic medicine, who are on the facility staff or who have been granted clinical privileges at the facility, are in compliance with financial responsibility requirements, etc.

http://www.flsenate.gov/session/index.cfm?BI_Mode=ViewBillInfo&Mode=Bills&SubMenu=1&Year=2008&billnum=1420 .

Other health-related legislation:

House 19 & Senate 164: Mental disorders insurance coverage

DID NOT PASS

Revises requirements for optional coverage for mental, nervous, & substance-related disorders; revises benefits limitations; revises benefits offered by group plans; provides parity for mental health insurance coverage.

http://www.flsenate.gov/session/index.cfm?BI_Mode=ViewBillInfo&Mode=Bills&SubMenu=1&Year=2008&billnum=19 .

House 25 & Senate 1104: Prevention of Alcohol Abuse by an Expectant Mother **DID NOT PASS**

"Fetal Alcohol Syndrome Prevention Act"; directs DOH & DCFS to maintain Fetal Alcohol Spectrum Disorders Prevention Network.

http://www.flsenate.gov/session/index.cfm?BI_Mode=ViewBillInfo&Mode=Bills&SubMenu=1&Year=2008&billnum=25 .

House 53 & Senate 1010: Health Insurance coverage of prostate screening

DID NOT PASS

The "Senator Les Miller Act"; requires health insurance policies, group health insurance policies, & health maintenance contracts to provide coverage for annual screening for prostate cancer for men of age 40 or older.

http://www.flsenate.gov/session/index.cfm?BI_Mode=ViewBillInfo&Mode=Bills&SubMenu=1&Year=2008&billnum=53 .

House 71 & Senate 190: Small Business Health Care Insurance Assistance

DID NOT PASS

Establishes pilot program in Pasco & Volusia Counties to provide rebates to small businesses providing comprehensive major medical health insurance coverage for employees.

http://www.flsenate.gov/session/index.cfm?BI_Mode=ViewBillInfo&Mode=Bills&SubMenu=1&Year=2008&billnum=71 .

House 163 & Senate 430: Certificates of Need

WITHDRAWN

Exempts projects involving geriatric acute-care, in-patient psychiatric specialty hospital beds from review for a certificate of need.

http://www.flsenate.gov/session/index.cfm?BI_Mode=ViewBillInfo&Mode=Bills&SubMenu=1&Year=2008&billnum=163 .



Senate 212 & House 1511: HIV Testing of Inmates [LPCC]

DID NOT PASS

Requires the Department of Health to designate two counties having a population of 1.2 million or more and five counties having a population of fewer than 1.2 million to participate in a program to test each inmate in county detention facilities for HIV before release, if the inmate's HIV status is unknown, etc.

http://www.flsenate.gov/session/index.cfm?BI_Mode=ViewBillInfo&Mode=Bills&SubMenu=1&Year=2008&billnum=212 .

House 243 & Senate 564: Automated External Defibrillator Regulation

PASSED

Revises provisions relating to maintenance & training requirements & notice to local emergency medical services medical director; revises requirements for civil immunity for use or attempted use of defibrillator on victim of perceived medical emergency.

http://www.flsenate.gov/session/index.cfm?BI_Mode=ViewBillInfo&Mode=Bills&SubMenu=1&Year=2008&billnum=243 .

House 267 & Senate 752: False and Fraudulent PIP Insurance Claims

PASSED

Requires minimum mandatory punishments for specified violations involving PIP insurance; provides for professional license suspensions for certain health care practitioners convicted of such violations.

http://www.flsenate.gov/session/index.cfm?BI_Mode=ViewBillInfo&Mode=Bills&SubMenu=1&Year=2008&billnum=267 .

House 329 & Senate 1410: Increasing Reimbursement of Medicaid Providers **DID NOT PASS**

Requires AHCA to provide reimbursement for physician & dental services based on certain levels & rates.

http://www.flsenate.gov/session/index.cfm?BI_Mode=ViewBillInfo&Mode=Bills&SubMenu=1&Year=2008&billnum=329

House 341 & Senate 2598 : PRN Sovereign Immunity

PASSED

Treatment Programs for Impaired Practitioners; Revises requirements for impaired practitioner treatment programs; revises program consultant requirements; authorizes DOH to contract with consultants to provide treatment services for allopathic & osteopathic physician students alleged to be impaired; provides absence of liability in civil actions of certain schools for referring students to consultants or taking certain actions without intentional fraud, etc.

http://www.flsenate.gov/session/index.cfm?BI_Mode=ViewBillInfo&Mode=Bills&SubMenu=1&Year=2008&billnum=341 .



House 363 & Senate 448: Breast Cancer Treatment Insurance Guidelines **DID NOT PASS**

Includes lymph node dissections under provisions prescribing length of hospital stay relating to mastectomy & outpatient postsurgical follow-up care that specified health insurers & health maintenance organizations must cover.

http://www.flsenate.gov/session/index.cfm?BI_Mode=ViewBillInfo&Mode=Bills&SubMenu=1&Year=2008&billnum=363 .

Senate 364: Cystic Fibrosis Treatment/Insurance Coverage [EPCC] **WITHDRAWN**

Requires that group health insurance policies, HMO contracts, and out-of-state groups cover services needed to treat cystic fibrosis which are authorized by a physician and are medically necessary.

http://www.flsenate.gov/session/index.cfm?BI_Mode=ViewBillInfo&Mode=Bills&SubMenu=1&Year=2008&billnum=364 .

House 385 & Senate 780: Family Planning **DID NOT PASS**

Creates "Prevention First Act"; provides duties of licensed health care practitioners, health care facilities, & pharmacies with regard to rape survivors.

http://www.flsenate.gov/session/index.cfm?BI_Mode=ViewBillInfo&Mode=Bills&SubMenu=1&Year=2008&billnum=385 .

House 449 & Senate 848: Public School Sex Education **DID NOT PASS**

"Florida Healthy Teens Act"; requires public schools that provide certain information or programs to students concerning human sexuality to provide information that meets specified criteria.

http://www.flsenate.gov/session/index.cfm?BI_Mode=ViewBillInfo&Mode=Bills&SubMenu=1&Year=2008&billnum=449 .

House 509 & Senate 1184: Emergency Medicine Certification **DID NOT PASS**

Prohibits physicians & osteopathic physicians from holding themselves out as board-certified emergency physicians unless they meet specified requirements.

http://www.flsenate.gov/session/index.cfm?BI_Mode=ViewBillInfo&Mode=Bills&SubMenu=1&Year=2008&billnum=509 .

House 535 & Senate 1968: Health Insurance **PASSED**

Revises definition of "bone marrow transplant"; requires identification card containing specified information be given insureds under health benefit plans & group health insurance policies.

http://www.flsenate.gov/session/index.cfm?BI_Mode=ViewBillInfo&Mode=Bills&SubMenu=1&Year=2008&billnum=535 .

House 637 & Senate 1998: Electronic Health Records

DID NOT PASS

Creates Florida eHealth Initiative Act; establishes Electronic Medical Records System Adoption Loan Program; provides for eligibility, terms, & conditions for granting loans.

http://www.flsenate.gov/session/index.cfm?BI_Mode=ViewBillInfo&Mode=Bills&SubMenu=1&Year=2008&billnum=637 .

House 645 & Senate 1448: Expert Witnesses

DID NOT PASS

Revises requirements for admission of expert testimony; provides that facts or data that are otherwise inadmissible shall not be disclosed to jury except in specified circumstances.

http://www.flsenate.gov/session/index.cfm?BI_Mode=ViewBillInfo&Mode=Bills&SubMenu=1&Year=2008&billnum=645 .

House 673 & Senate 2242: Related to Donated Organs

DID NOT PASS

Prohibits dispensing of drug for immunosuppressive therapy following organ transplant other than original specifically prescribed drug unless authorized to do so by prescribing practitioner.

http://www.flsenate.gov/session/index.cfm?BI_Mode=ViewBillInfo&Mode=Bills&SubMenu=1&Year=2008&billnum=673 .

House 811 & Senate 2414: Preventing Substitution of Anti-epileptic Drugs

DID NOT PASS

H811 GENERAL BILL by N. Thompson; Prohibits pharmacists from interchanging certain types of prescribed anti-epileptic drugs.

http://www.flsenate.gov/session/index.cfm?BI_Mode=ViewBillInfo&Mode=Bills&SubMenu=1&Year=2008&billnum=811 .

House 851 & Senate 1186: Access to Health Care Information

DID NOT PASS

Requires AHCA to publish & disseminate information concerning violations of federal regulations, complaints made to regulatory agencies, & nurse staffing levels & turnover rates.

http://www.flsenate.gov/session/index.cfm?BI_Mode=ViewBillInfo&Mode=Bills&SubMenu=1&Year=2008&billnum=851 .

House 989 & Senate 1106: Relating to Physician Assistants

PASSED

Revises requirements for formulary established by Council on Physician Assistants in order to allow physician assistants to prescribe antipsychotics & parenteral preparations.

http://www.flsenate.gov/session/index.cfm?BI_Mode=ViewBillInfo&Mode=Bills&SubMenu=1&Year=2008&billnum=989 .



House 1099 & Senate 960: CON Exemptions for Teaching Hospitals

DID NOT PASS

Provides exemption from certificate-of-need requirements for certain teaching hospitals; provides criteria for qualifying for exemption.

http://www.flsenate.gov/session/index.cfm?BI_Mode=ViewBillInfo&Mode=Bills&SubMenu=1&Year=2008&billnum=1099 .

House 1239 & Senate 2612: State Funding for Medical Student Education

DID NOT PASS

Requires state funding for medical student education at state university colleges of medicine using funding methodology that provides base level of state support on per-student basis.

http://www.flsenate.gov/session/index.cfm?BI_Mode=ViewBillInfo&Mode=Bills&SubMenu=1&Year=2008&billnum=1239 .

House 1243 & Senate 2782: Controlled Substances Reporting

DID NOT PASS

Exempts from public records requirements information & records reported to DOH under electronic monitoring system for prescription of controlled substances listed in Schedules II-IV.

http://www.flsenate.gov/session/index.cfm?BI_Mode=ViewBillInfo&Mode=Bills&SubMenu=1&Year=2008&billnum=1243 .

Senate 1370: Florida Patient Safety Corporation [SPCC]

DID NOT PASS

Deletes provisions requiring that the corporation establish specific advisory committees. Authorizes the corporation to create and dissolve advisory committees upon a majority vote of the board of directors.

http://www.flsenate.gov/session/index.cfm?BI_Mode=ViewBillInfo&Mode=Bills&SubMenu=1&Year=2008&billnum=1370 .

Senate 1372: Emergency Services and Care Access [SPCC]

DID NOT PASS

Clarifies legislative intent regarding follow-up consultation and treatment after a patient is stabilized.

http://www.flsenate.gov/session/index.cfm?BI_Mode=ViewBillInfo&Mode=Bills&SubMenu=1&Year=2008&billnum=1372 .

Senate 1550: Patients' Medication History Website [SPCC]

DID NOT PASS

Requires AHCA to contract with a vendor, by June 30, 2009, to design and operate a website that gives health care practitioners, pharmacies, and pharmacists access to patient medication history through a privacy-protected website.

http://www.flsenate.gov/session/index.cfm?BI_Mode=ViewBillInfo&Mode=Bills&SubMenu=1&Year=2008&billnum=1550 .



House 1533 & Senate 1338: Staffing of Health Care Facilities

DID NOT PASS

Prescribes safe staffing standards for acute care hospitals, emergency care, ambulatory, or outpatient surgery facilities, or psychiatric facilities.

http://www.flsenate.gov/session/index.cfm?BI_Mode=ViewBillInfo&Mode=Bills&SubMenu=1&Year=2008&billnum=1533 .

Senate 2646: Reporting of Disciplinary Actions

DID NOT PASS

Requires that disciplinary actions at a licensed health care facility be reported to the Division of Medical Quality Assurance within the DOH rather than to the Division of Health Quality Assurance of the AHCA.

http://www.flsenate.gov/session/index.cfm?BI_Mode=ViewBillInfo&Mode=Bills&SubMenu=1&Year=2008&billnum=2646 .