

# CAPITOL Update

Florida Academy  
of Family Physicians

Legislative action  
for today's family physician



6720 Atlantic Boulevard, Jacksonville, FL 32211

800.223.3237 • Tad P. Fisher, Executive Vice President • www.fafp.org

**March 16, 2007**

## **Legislative Update Week Two...**

### **Priority Legislation Update**

#### **Death Certificate**

#### **2007-2008 Budget & Medicaid**

Week 2 of the Legislative Session is complete. The pace has quickened, but the constant panic has yet to set in. That usually begins by week 5! Property tax relief continues to dominate the public discussion with policymakers trying to think through any unintended consequences of their sweeping proposals. As usual, the Senate is moving more cautiously in its review, but their thorough review should not be mistaken for a lack of commitment to have a dramatic proposal to reduce property taxes. The entire Legislature heard their constituents' call for change.

Legislative committees are in full swing, hearing hundreds of bills a day. The time for reports and workshops is over and now they are in action mode. On the FAFP front, the following is the status of our priority issues.

[Back to Top](#)

### **Priority Legislation Update:**

**HB 543** sponsored by Representative Juan Zapata (R-Dade) deals with immunization services. Although strongly opposed by the physician community, the bill passed the House Health Innovation Committee. **SB 2022**, the Senate companion bill, sponsored by Senator Bennett (R-Bradenton) was referred to the Senate Health Regulation Committee and Judiciary Committee. This bill has not received a committee hearing to date.

**HB 543 and SB 2022** contain numerous provisions dealing with the State's preparedness in the event of a vaccine shortage, as well as how the State can continue to develop as a biotech hub. However, the bills also permit a pharmacist to administer vaccines providing they meet the following requirements:

- At least \$200,000 of professional liability insurance;
- Supervision by either a physician or public health department;
- Written approval to provide flu vaccines from the pharmacy center;
- Training and immunization certification approved by the Board of Pharmacy in consultation with the Board of Medicine; and,
- 20 Hours of continuing education courses approved by the Board of Pharmacy which includes instruction on safe and effective administration

of immunizations and potential allergic reactions to immunizations.

The momentum in the House for this proposal continues to grow and is a priority for the House leadership. We are working closely with the FMA and FOMA to work on other strategies to stop this scope of practice infringement.

[Back to Top](#)

## **Death Certificate:**

**SB 1958/HB 1299** would permit an ARNP to sign death and fetal death certificates. FAFP has taken the position that this process is the responsibility of a doctor, especially in determining the cause of death. This week **SB 1958** had its first hearing in the Senate Health Regulation Committee. The Senators raised several questions and expressed concern over the legislation. Ultimately, the bill was not voted upon (TPd). The House bill just received its committee references this week. Yesterday we met with the House sponsor to better educate him about the issue.

Our other priority bills include:

- **SB 556/HB 1263 relating to ARNPs prescribing controlled substances**  
SB 556 has been referred to Health Regulation; Health and Human Services Appropriations and HB 1263 has been referred to Health Quality and the Healthcare Council. Neither bill has received a hearing.
- **HB 879/SB 248 relating to clinical nurse specialties**  
HB 879 was reported favorable in the House Health Quality Committee this week and SB 248 is awaiting a hearing in the Senate Health and Human Services Appropriations Committee.
- **HB 1007/SB 692 deals with physician assistants writing prescriptions under proper supervision**  
HB 1007 was reported favorable in the House Health Quality Committee this week and SB 692 is now in Health and Human Services Appropriations.
- **HB 805/SB 1478 regarding specialty physician advertising**  
HB 805 was referred to Health Quality and the Healthcare Council and SB 1478 was referred to Health Regulation.

[Back to Top](#)

## **2007-2008 Budget & Medicaid:**

This week, the Revenue Estimating Conference reduced its General Revenue forecast by \$956.3 million for this year and next. Collections for the current year were cut by \$303.4 million and next year's revenues were reduced by \$652.9 million. This means that it will be the first time in 33 years in which there was less tax money brought in compared with the year before in Florida.

On the Medicaid front, it appears that the reduced caseload of Medicaid recipients for the current year, along with the projected numbers for 2007-2008 and the savings from the prescription drug rebates have created a surplus in this program. Unfortunately, these savings do not revert back into the Medicaid program for other items. Any money remaining after the fiscal year will go back into the working capital fund for all state government spending needs.

Finally, there was a presentation at the Senate Health & Human Services Appropriations Committee on the most recent Medicaid Impact Conference.

This conference reports the findings from extensive research by the AHCA on the financial impact of a series of potential policy changes. Several proposals of interest were the financial impact of changes to the Medicaid reimbursement rates for physicians. For example, if the state were to pay all physicians who served Medicaid patients at the rate of Medicare's reimbursement, it would cost Florida \$412.9 million. If the state were to only increase the rate for primary office visits to the Medicare rate, it would cost \$93 million. There were several other scenarios presented that included marginal increases in physician fees, yet they would still require substantial general revenue to implement, which is not available this year. Therefore, with the budget crunch facing the 2007 Legislature, the likelihood of anything that dramatic being enacted is very remote.

We will keep you posted on these and other developments as the Session progresses.

[Back to Top](#)

!