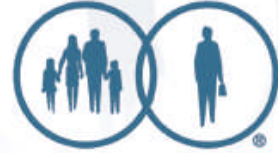


CAPITOL Update

Florida Academy
of Family Physicians

Legislative action
for today's family physician



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April 20, 2007

Legislative Week Seven...

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Week 7 concluded with legislative committees' meeting at a frenetic pace and the budget conference process getting underway. Senate and House leadership spent the week trying to reach agreement on individual budget conference committee dollar allocations in order that each individual budget conference committee may negotiate using similar dollar allocations. These behind the scene discussions are often the most important part of the budget process.

The Senate and House also passed their respective property tax reduction packages and head into the conference process on that issue as well.

Committees will only meet for a couple of days next week and the bulk of the Legislature's time will be spent "on the floor." The Legislature will need to complete its business no later than Friday, May 4, for an on-time adjournment.

The following is the status of our priority issues:

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Immunizations: Movement this week

This week, **SB 2022** relating to immunizations, was reported favorably by the Senate Judiciary Committee. The House companion bill, **HB 543** is in line to be heard on the House floor. We continue to work with the medical community on these bills. The bills have been narrowed to allow pharmacists, after receiving limited training and certification, to administer only flu shots.

HB 543 and **SB 2022** also both 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.

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Physician Workforce Assessment & Development:

SB 770 sponsored by Senator Jeff Atwater (R-North Palm Beach) and **HB 877**

sponsored by Representative Ed Homan (R-Temple Terrace) creates, within the Division of Health Access and Tobacco of the Department of Health (DOH), the Office of Physician Workforce Assessment and Development.

The office will be responsible for:

- Coordinating and planning how to assess Florida's current and future physician workforce needs through collaboration with multiple stakeholders.
- Maximizing the use of existing programs under the DOH and other state agencies.
- Maintaining a database to serve as the official statewide source of valid, objective, and reliable data concerning the physician workforce.
- Analyzing the results of the required physician survey and determine by geographic area and specialty the number of physicians who perform services. Florida-licensed allopathic or osteopathic physician, as a requirement for renewal of his or her license, must furnish specified information to DOH in a physician survey.
- Reporting its findings to the Governor and the Legislature by November of each year.

The bill also creates a five-member advisory council on physician workforce issues within the DOH. The council is responsible for reviewing and commenting on data analysis by the DOH for physician workforce issues and providing advice and expertise to the DOH to be incorporated in the survey.

HB 877 is awaiting a hearing in the House Policy & Budget Council. This is the bill's last committee stop before the House floor. **SB 770** is awaiting a hearing in the Senate Health & Human Services Appropriations Committee. Currently, both bills are identical. Neither bill was heard in committee this week.

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Amendment 4 Implementation:

Anti-tobacco education continues to be an important priority to FAFP. We are pleased to report that both the Senate and the House budgets allocate full funding for the program, but work remains on the implementation. The **conforming bills**, **SB 1126** sponsored by Senator Peadar and **HB 7045** sponsored by the Healthcare Council (Rep. Bean) and Representative Harrell, are substantially different in several key areas:

- The accountability and oversight measures in the House bill require the Department of Health and an advisory council to oversee a competitive grant process for the various components of the comprehensive program and to measure results.
- The Senate bill requires the Department of Health to contract with the Area Health Education Centers (AHECs) to conduct the statewide comprehensive tobacco education and prevention program. It also requires an evaluation of the AHECs by a council heavily populated by

medical school deans which already oversee the AHECs, thereby raising a concern of conflicts of interest.

- The other major concern is AHEC's ability to conduct this statewide program and its interest in doing so. Additionally, the enforcement provisions in the Senate bill will enhance retailer compliance with Florida laws on sales of tobacco products to minors. The House bill does not include enforcement provisions nor does the budget include a program component for enforcement.

The House and Senate are meeting to reach a compromise and resolve their differences.

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2007-2008 Budget & Medicaid

The House and Senate began budget conference negotiations late this week. It appears that the leadership is seeking to resolve most of the issues rather quickly so the chambers can focus on property tax reform and other pending legislative matters in the final two weeks of session.

The Health and Human Services budget conference was named on Thursday with Senator Peaden serving as chair of the conference. As of Friday, the House made the first offer to the Senate conferees. It appears the total allocation for HHS appropriations stands at \$24.156 billion, which is about \$340 million more than the initial Senate HHS funding bill. Most of this difference is made up in trust fund allocations as the House offered only \$185 million more in general revenue than what the Senate originally had in their budget. One of the major funding issues is the deficit created by unexpected workload increases with the newly-created Agency for Persons with Disabilities. We expect the Senate to return with their first offer on Friday evening and for the HHS conference to work through the weekend.

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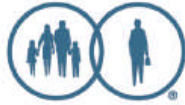
The following is a brief status on other important legislation:

- **SB 556/HB 1263 relating to ARNPs prescribing controlled substances:** SB 556 has been referred to the Senate Health Regulation Committee and the Health and Human Services Appropriations Committee. HB 1263 has been referred to the House Health Quality Committee and the House Healthcare Council. Neither bill has received a hearing.
- **HB 879/SB 248 relating to clinical nurse specialties:** HB 879 is waiting to be heard in the House Policy and Budget Council. SB 248 passed the Senate by a unanimous vote and is in messages. We expect these bills to pass.
- **HB 1007/SB 692 deals with physician assistants writing prescriptions under proper supervision:** HB 1007 is on second reading in the House

and SB 692 is on second reading in the Senate. We expect these bills to pass.

- **HB 805/SB 1478 regarding specialty physician advertising:** HB 805 was referred to the House Health Quality Committee and the House Healthcare Council. SB 1478 was referred to the Senate Health Regulation Committee. Neither bill has received a committee hearing to date. It is unlikely that these bills will pass.

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