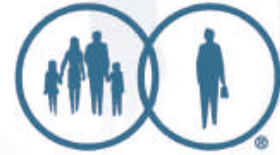


CAPITOL Update

Florida Academy
of Family Physicians

Legislative action
for today's family physician



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Legislative Week Four...

Week 4 has concluded, the pace of legislative session has ramped into high gear and the stress of legislative activity is ever present. Legislators who have bills that are yet to be heard in committee are pressing committee chairs to get the bills in the committee agenda, as many committees have ceased meeting or may only meet one or two more times. Freshmen legislators are beginning to realize that their grand campaign ideas confront a legislative reality of limited time and resources.

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Property tax reform continues to dominate the public discussion with the Senate Democrats unveiling their own proposal this week. Already rumors are circulating a special session over the summer if the two legislative bodies and the Governor can't reach agreement in the next few weeks.

Although the Legislature tries to stay focused on work, national politics is providing a bit of distraction. With the prospect of Florida moving its Presidential primary election earlier in the process, the candidates are sweeping into Tallahassee. Presidential candidates Obama, McCain, Giuliani and Huckabee all have visits scheduled in the next couple of weeks.

Next week the Senate will not meet due to the Passover and Easter holidays. The House will only meet on Wednesday afternoon and Thursday morning. While the time off will help to lessen the immediate pressure of the process, this short term break also increases the pressure for the final weeks.

On the FAFP front, the following is the status of our priority issues.

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Immunizations:

There was no movement on the Immunization legislation this week. Last week the Senate Committee on Health Regulation heard **SB 2022** and amended the bill to include flu shots only. This Senate bill, as amended, allows pharmacists, after receiving limited training and certification, to administer flu shots. We expect the House companion bill, **HB 543** sponsored by Representative Juan Zapata (R-Dade) to be amended in the same manner and will likely be heard next week in the House Healthcare Council.

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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Death Certificate (no action this week):

SB 1958 and **HB 1299** would permit an ARNP to sign a death or fetal death certificate. FAFP has taken the position that this process is the responsibility of a doctor, especially in determining the cause of death. The Senate bill was referred to the Health Regulation Committee and the House bill was referred to the Health Quality Committee and the Healthcare Council. **SB 1958** was temporarily postponed three weeks ago and has not been revived. **HB 1229** has yet to be heard in committee. It seems promising that these bills may not make it out of committee.

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2007-2008 Budget & Medicaid

The House and Senate released their initial budget proposals late this week. They are both lower in total appropriations than from the 2006-2007 fiscal year. In total, the Senate budget is \$71.855 billion versus the House's \$70.248 billion. There are two significant differences between the two in that the House spends \$1.1 billion less in general revenue (recurring revenue) than the Senate, and the Senate spends about one billion dollars more on the Department of Transportation than the House.

The health care portion of the budget is the reverse with the House appropriates \$24.1 billion on health and human services while the Senate allocates \$23.8 billion. The total Medicaid budget for the House is \$16.264 billion while the Senate is more than six hundred million less than the House proposal. Both chambers spend the same amount for prescription drug assistance (\$1.428 billion) and physician reimbursements (\$2.702 billion). The dollars for Medicaid payments to doctors represent an 18% increase over last year's budget. This increase reflects more claims, not an increase in reimbursement levels.

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Tobacco Control and Amendment 4 Implementation

A large priority for public health organizations, American Lung Association, American Heart Association, and the American Cancer Society, is to ensure the Legislature appropriately implements Amendment 4 – creating a comprehensive statewide Tobacco Education Program.

HB 7045 was heard in the House Policy and Budget Council on Friday and there were no negative amendments to strip money away! The Council was the bill's last committee stop so it can now be heard on the House floor. The bill is strongly supported by Lung, Heart, and Cancer.

In the Senate, Senator Durrell Peaden (R-Crestview) surprised the public health community with a proposal that is very dissimilar to the House proposal. **SB 1126**

rests ownership of the Tobacco Education Program to various Area Health Education Centers (AHECs) around the state. The proposal has less oversight responsibilities than the House proposal and changes the historic role of the Florida Department of Health in tobacco control and education.

Moreover, the proposal appears to restrict community-based tobacco education programs, with the exception of the AHEC's, from competing for dollars. The Senate bill was heard this week in committee with very little discussion and awaits action by the full Senate. Following this process, the House and Senate will have to work out their different approaches to implementing the program.

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Cigarette Taxes -- No movement so far.

Bills dealing with cigarette tax issues were filed by Senator Ronda Storms (R-Brandon), Senator Al Lawson (D-Tallahassee), and Representative Jim Waldman (D-Coconut Creek). Senator Storms' legislation re-directs existing tobacco tax revenues to a cancer center at the University of South Florida adjacent to the H. Lee Moffitt Cancer Center. The Lawson and Waldman bills would increase taxes on cigarettes. Representative Waldman's bill raises the cigarette tax by \$1.00 per pack and would distribute tax revenues to a cancer center at the University of South Florida adjacent to the H. Lee Moffitt Cancer Center in Tampa. Senator Lawson's bill also raises the cigarette tax by \$1.00 per pack, but tax revenues collected under his bill would fund trauma centers, a state children's health insurance program, and net collections for Medicaid obligations. None of the bills have received a committee hearing to date.

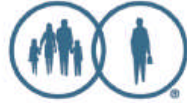
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The following is a brief status on other important legislation:

- **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** was reported favorable by Healthcare Council and is now in line to be heard on the House floor. **SB 248** is in the Senate Health and Human Services Appropriations Committee.
- **HB 1007/SB 692** deals with physician assistants writing prescriptions under proper supervision
 - **HB 1007** is awaiting a hearing in the Healthcare Council, its last committee stop. **SB 692** awaits a hearing in the Senate Health and Human Services Appropriations Committee.
- **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.

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