

March 9, 2007

Legislative Week One...

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The Legislative Session commenced this week with a bi-partisan tone ringing throughout the Capitol. Governor Crist made his first State of the State speech to the Legislature where he laid out a grand agenda, including lowering property taxes, elevating awareness of global warming, creating more state prison beds and toughening probation standards for offenders to comply with his Anti-Murder Act.

He may need bi-partisan support for many of his proposals, especially in light of their projected cost. The proposals are juxtaposed against a revenue picture that shows decreased collections of sales tax dollars and documentary stamp funds. This slowdown results from decreased home purchases and new home construction, as well as an accompanying decrease in home contents purchases.

However, we're all smiles in week one! The Legislature is just beginning to balance wants versus needs versus reality.

On the FAFP front, we are tracking over 80 bills. The following is the status of our priority issues.

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2007-2008 Budget & Medicaid

The upcoming March 12 revenue estimating conference will likely show that Florida can expect to see a decrease of between \$500 million to \$800 million in general revenue receipts for the 2007-2008 fiscal year. Based on these estimates, Senate Fiscal Policy Chair Lisa Carlton (R-Osprey) reported to Senate President Ken Pruitt (R-Port St. Lucie) in a meeting on Monday that "we are probably going to have to look to some reductions in agency continuation budgets."

The House Health Care Council met this week and confirmed that the Medicaid caseload will likely decline in the coming budget year. The reduction of total

recipients is expected to drop from 2.2 million to a little more than 2.1 million.

However, the total amount of general revenue required to meet current Medicaid services will be \$21 million more this year versus what had been projected to be approximately \$300 million.

Unfortunately, during the Senate Health & Human Service Appropriations Committee meeting held on Thursday night, AHCA Deputy Secretary for Medicaid Tom Arnold reported that the agency has been notified by the Centers for Medicare and Medicaid Services (CMS) that Florida must now come up with an additional \$60 million in recurring general revenue to cover dually eligible hospital patients whose stay is more than 45 days (that is time limit when AHCA has stopped paying for inpatient care for the last 25 years). Within this figure, there were also other issues that CMS claims AHCA should be funding that include institutional mental health care.

Arnold disclosed that AHCA was warned about this in March 2006 but attempted to try to argue against CMS's claim for the last ten months. He acknowledged that AHCA didn't tell the Legislature and apologized. We have learned another potential budget issue like this might be coming from CMS next week that could result in new general revenue expenditures related to covering costs related to HIV.

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Priority Legislation Update

This week, **HB 543** dealing with immunization services was heard in the House Health Innovation Committee. The bill is sponsored by Representative Juan Zapata (R-Dade). **HB 543** contains numerous provisions dealing with the State's preparedness in the event of a vaccine shortage. However, the controversial component is the provision allowing pharmacists to provide flu shots if they qualify under the following circumstances:

- 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.

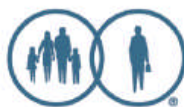
The bill is strongly opposed as a scope of practice infringement by the medical community. The supporters are also very well organized. **HB 543** was temporarily postponed (TPd) by Rep. Zapata because of the closeness of the votes in the committee. The bill will be heard next Tuesday in committee and FAFP is working against its passage.

Our other priority bills have yet to move in either chamber. These bills include:

- **SB 556/HB 1263** relating to ARNPs prescribing controlled substances
- **HB 879/SB 248** relating to clinical nurse specialties
- **HB 1007/SB 692** dealing with physician assistants writing prescriptions
- **SB 1958/HB 1299** allowing an ARNP to sign death certificates
- **HB 805/SB 1478** regarding specialty physician advertising

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

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