

**Florida Academy of Family Physicians**  
**2024 Legislative Session- Week 1**  
January 12, 2024

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**Session Opens - State-of-the-State address:**

Tuesday marked the beginning of the 2024 Florida Legislative Session. Both House and Senate chambers convened, with leadership offering opening remarks, followed by a Joint Session featuring Governor DeSantis' State of the State address.

[Senate President Kathleen Passidomo addressed](#) the Senate chamber and outlined her "Live Healthy" Initiative as a key Senate priority. [Speaker Paul Renner addressed the House chamber](#), with a prominent focus on the ills of social media platform overuse by youth, noting specifically the addictive nature and mental health consequences of "tech addiction." In addition to addressing their top priority issues, and indicating support for one another's priorities, both leaders noted Florida's strong economy and the positive results of many of the policy initiatives addressed in the preceding year.



**FAFP Doctor of the Day**

FAFP Past President Carrie Vey, MD, served as Doctor of the Day at the invitation of Speaker Renner and was joined by FAFP Resident Board Director Courtney Mangum, MD, from Halifax FM Residency were Dr. Vey serves as program director. Yes, Family Medicine was "In the House" for the opening day of the 2024 session!



Governor Ron DeSantis' [State-of-the-State address](#) to the legislature focused on the challenges faced by the nation and outlining Florida's achievements and principles. He is the first Florida incumbent governor in recent memory to run for the presidency. And although he has been crisscrossing Iowa in anticipation of next week's Iowa caucus, he returned home to deliver an address focused on Florida successes and how other states should replicate Florida's policies. Governor DeSantis noted Florida's strong economy, the positive job creation statistics, his educational reforms, and an overall "freedom" agenda.

Later in the week, legislative committees moved to act on the Senate President and House Speaker's proposals, and we anticipate continued action next week as the legislature begins its second week in Tallahassee.

**House Health and Human Services Committee**

The House Health and Human Services Committee chaired by Rep. Randy Fine (R-Palm Bay) met this week to discuss International Drug Reference Pricing (materials from the meeting can be found [here](#)). Andres Mulcahy from the RAND Corporation gave an overview of U.S. and International Drug Prices. Mulcahy reported that, for any drug, there are many U.S. prices and U.S. prices vary across different types of drugs, and U.S. drug spending is concentrated in just a few drugs. Drew Gattine from the National Academy for State Health Policy (NASHP) gave an overview of the flow of products, funds and services through the pharmaceutical distribution system and reported that

spending on prescription drugs is increasing much faster than other medical service sectors. Gattine offered NASHP recommended legislation which combine prescription drug affordability boards with international reference rates and Medicare reference rates to produce upper payment limits that he believes expands access to affordable drugs here in the U.S. The committee will continue their discussion of International Drug Reference Pricing at their next meeting on Tuesday, January 16.

### **House Select Committee on Health Innovation**

The House Select Committee on Health Innovation, chaired by Rep. Kaylee Tuck (R-Sebring) began work on a companion to the Senate's "Live Healthy" initiative or [HB 1549](#) by Rep. Michael Grant (R-Port Charlotte) - a robust package of policy initiatives and strategic investments to support Florida's growing and innovative healthcare workforce. Rep. Grant told the committee the bill will help address Florida's continued growth of families, businesses, and seniors which will increase Florida's 22 million population by nearly 300,000 per year. Specific to the FAFP's interests include:

- Expansion of residencies through the *Slots for Doctors* program with 700 new residency programs for medical students to go into residencies.
- Prohibits hospitals from taking money from medical schools related to students to obtain clinical hours that they need to become physicians.
- Creates a new pathway for experienced foreign physicians to be exempted from current residency requirements.
- Removes barriers to practitioners licensed in other states to practice in Florida.
- Authorizes licensure by endorsement for all healthcare practitioners and standardizes those requirements.
- Authorizes the Board of Medicine, Osteopathic Medicine and the Boards of Nursing to issue temporary certificates to PA and APRN's to practice in areas of critical need in the state.
- Establishes limited licensure for graduate assistant physicians.
- Reduces regulations for autonomous nurse midwives.
- Expands telehealth for minority maternity care patients.
- Expands the ability for certain psychologists and psychiatric nurses to work in Baker Act facilities.
- Creates advanced birth centers.
- Adopts and enforces federal standards for hospital estimates, personal estimates for insurance, cost sharing estimates, and publication of facility charges and protection.

The committee also passed a public records bill to protect records relating to the Interstate Medical Licensure Compact, the Audiology and Speech-Language Pathology Interstate Compact and the Physical Therapy Licensure Compact (created in [HB 1549](#)).

### **FAFP Priority Legislation**

**Invalid Restrictive Covenants with Physicians** – [HB 11](#) by Rep. Dr. Joel Rudman (R-Navarre) and [SB 458](#) by Sen. Jason Brodeur (R-Lake Mary) provide restrictive covenants which prohibit physician from practicing medicine within specified area for certain period of time are void and unenforceable. The FAFP is working with the sponsors to ensure appropriateness and address any concerns and misinformation used to prevent passage.

### **Legislation of Interest to Family Medicine (listed alphabetically)**

**Access to Appropriate Medications for Serious Mental Illness / Step-Therapy Protocols** – [HB 491](#) by Rep. Karen Gonzalez Pittman (R-Tampa) and [SB 268](#) by Sen. Gayle Harrell (R-Stuart) require the Agency for Healthcare Administration (AHCA) to approve certain drug products for Medicaid recipients for treatment of serious mental illness without step-therapy prior authorization.

**Anaphylaxis in Public Schools** – [SB 52](#) by Sen. Linda Stewart (D-Orlando) and [HB 65](#) by Rep. Rita Harris (D-Orlando) and Rep. Dotie Joseph (D-North Miami) require the Department of Education to publish on its website each district school board’s anaphylaxis policy, require each district school board to adopt an anaphylaxis policy, and require a certain percentage of specified school personnel to receive certain training.

**Autonomous Practice for Certified Psychiatric Nurses** – [HB 771](#) by Rep. Webster Barnaby (R-Deland) and [SB 936](#) by Sen. Ana Maria Rodriguez (R-Doral) authorize advanced practice registered nurses who are certified as psychiatric nurse practitioners to engage in autonomous practice under certain circumstances.

**HB 771 will be heard in the House Healthcare Regulation Subcommittee on Wednesday 1/17.**

**Autonomous Practice by a Certified Registered Nurse Anesthetist** – [HB 257](#) by Rep. Mike Giallombardo (R-Cape Coral) and [SB 810](#) by Sen. Blaise Ingoglia (R-Springhill) authorize certified registered nurse anesthetists to practice autonomously and authorize participation in the Medical Education Reimbursement and Loan Repayment Program.

**HB 257 will be heard in the House Healthcare Regulation Subcommittee on Wednesday 1/17.**

**Cardiac and Medical Emergencies on School Grounds** – [SB 432](#) by Sen. Corey Simon (R-Tallahassee) and [HB 441](#) by Rep. Taylor Michael Yarkosky (R-Clermont) create the “HeartCharged Act,” require each public school to have at least one automated external defibrillator on school grounds, encourage each charter school and private school to have at least one defibrillator on school grounds and to comply with specified requirements, provide immunity from liability for school employees and students under the Good Samaritan Act and the Cardiac Arrest Survival Act, and require the Commissioner of Education, at his or her sole discretion, to create and disseminate specified protocols and plans relating to the use of defibrillators in schools.

**Congenital Cytomegalovirus Screenings** – [SB 168](#) by Sen. Tina Polsky (D-Boca Raton) and [HB 499](#) by Rep. Lauren Melo (R-Naples) require certain hospitals to administer congenital cytomegalovirus screenings on newborns admitted to the hospital under specified circumstances, provides coverage under the Medicaid program for the screenings and any medically necessary follow-up reevaluations, and requires that newborns diagnosed with congenital cytomegalovirus be referred to a primary care physician for medical management, treatment, and follow-up services.

**Coverage for Mammograms and Supplemental Breast Cancer Screenings** - [SB 670](#) by Sen. Tracie Davis (D-Jacksonville) and [HB 711](#) by Rep. Diane Hart (D-Tampa) define the terms “mammogram” and “supplemental breast cancer screening,” require the Agency for Health Care Administration to provide Medicaid coverage for annual mammograms and supplemental breast cancer screenings for certain women and require insurers to cover supplemental breast cancer screening.

**Coverage for Skin Cancer Screenings** – [SB 56](#) by Sen. Gayle Harrell (R-Stuart) and [HB 241](#) by Rep. Dr. Ralph Massullo (R-Inverness) require certain health insurance companies, to provide coverage and payment for annual skin cancer screenings performed by a licensed dermatologist without imposing any cost-sharing requirement.

**HB 241 will be heard in the House Select Committee on Health Innovation on Tuesday 1/16.**

**Declarations of a Public Health Emergency** – [SB 402](#) by Sen. Clay Yarborough (R-Jacksonville) and [HB 459](#) by Rep. Dr. Joel Rudman (R-Navarre) provide that the administration of vaccines is not included within the meaning of the terms “treat,” “treated,” or “treatment” as they relate to public health emergencies, authorize an individual to refuse examination, testing, or treatment under a

State Health Officer's order during a public health emergency by submitting a written refusal to the State Health Officer, and delete the State Health Officer's authority to use any means necessary to treat an individual who poses a danger to public health.

**Department of Health** – [SB 1582](#) by Sen. Ana Maria Rodriguez (R-Doral) and [HB 1441](#) by Rep. Adam Anderson (R-Tarpon Springs) contain the Department of Health's legislative package. The bills exempt environmental health technicians from certain certification requirements under certain circumstances, create the Andrew John Anderson Rare Pediatric Disease Grant Program within the department, provide that any health care practitioner present at a birth or responsible for primary care during the neonatal period has the primary responsibility of administering certain screenings, and revise hearing loss screening requirements to include infants and toddlers.

**Designation of a Diagnosis on Motor Vehicle Registrations** – [HB 341](#) by Rep. Michelle Salzman (R-Cantonment) and [SB 288](#) by Sen. Ana Maria Rodriguez (R-Doral) authorizes a motor vehicle owner or registrant to designate on his or her application form for motor vehicle registration that he or she has been diagnosed with, or is parent or legal guardian of child or ward who has been diagnosed with, developmental disability or psychiatric disorder. The bills also authorize removal of such designation upon request.

**Emergency Refills of Insulin and Insulin-related Supplies or Equipment** – [HB 201](#) by Rep. Melanie Bell (R-Fort Meade) authorizes emergency refill of specified amounts of insulin and insulin-related supplies or equipment.

**HB 201 will be heard in the House Health and Human Services Committee on Tuesday 1/16.**

**End-of-life Options** – [HB 561](#) by Rep. Daryl Campbell (R-Fort Lauderdale) establishes the procedure to allow an adult who has mental capacity and who has terminal condition and who makes a fully informed decision that he or she no longer wants to live.

**Exemptions from Immunization Requirements** - [SB 636](#) by Sen. Ileana Garcia (R-Miami) authorizes persons to claim an exemption from any immunization requirement if there is no FDA-approved vaccine that meets specified criteria. The bill also prohibits employers, school districts, the Department of Health, and certain public entities from requiring a person to meet any other conditions to claim the exemption.

**Health Care** - [HB 1549](#) by Rep. Michael Grant (R-Port Charlotte) is a House companion to the Senate's "Live Healthy Initiative. The bill contains policy initiatives and strategic investments to support Florida's growing and innovative healthcare workforce. The bill seeks to grow Florida's healthcare workforce through new opportunities for education, training, and retention; to remove regulatory barriers to increase workforce availability and mobility; to increase access, efficiency, and quality of healthcare; and to increase affordability and empower patients and healthcare costs associations that will impact them.

**Health Care Practitioner Titles and Designations** – [SB 1112](#) by Sen. Gayle Harrell (R-Stuart) and [HB 1295](#) by Rep. Dr. Ralph Massullo (R-Inverness) provide that, for specified purposes, the use of specified titles or designations in connection with one's name constitutes the practice of medicine or the practice of osteopathic medicine, revise grounds for disciplinary action relating to a practitioner's use of such titles or designations in identifying himself or herself to patients or in advertisements for health care services, and require certain health care practitioners to prominently display a copy of their license in a conspicuous area of their practice.

**Health Insurance Cost Sharing** – [SB 228](#) by Sen. Tom Wright (R-Port Orange) and [HB 363](#) by Rep. Lindsay Cross (R-St. Petersburg) and Rep. Dr. Joel Rudman (R-Navarre) define the term "cost-

sharing requirement” and require specified individual health insurers and their pharmacy benefit managers to apply payments by or on behalf of insureds toward the total contributions of the insureds’ cost-sharing requirements.

**Interstate Mobility** - [HB 1381](#) by Rep. Danny Alvarez (R-Riverview) and [SB 1600](#) by Sen. Jay Collins (R-Tampa) require respective boards of occupations, or the Department of Business and Professional Regulation (DBPR) if there is no board to issue license or certificate to applicants who meet specified conditions, require DOH to verify certain information using National Practitioner Data Bank, specify circumstances under which person is ineligible for licensing, authorize boards or DOH to revoke license upon specified finding, authorize boards or DOH to require that applicants successfully complete jurisprudential examination, revise licensure by endorsement requirements for multiple health care practitioner licenses.

**Intravenous Vitamin Treatment** – [HB 227](#) by Rep. Alina Garcia (R-Miami) and [SB 672](#) by Sen. Alexis Calatayud (R-Miami) provide requirements for persons administering intravenous vitamin treatment and require the Board of Nursing, and Board of Medicine & Board of Osteopathic Medicine to adopt rules establishing procedures to administer intravenous vitamin treatment and emergency protocols.

**HB 227 will be heard in the House Health and Human Services Committee on Tuesday 1/16**

**Motor Vehicle Insurance** – [SB 464](#) by Sen. Erin Grall (R-Fort Peirce) and Sen. Darryl Rouson (D-St. Petersburg) and [HB 653](#) by Rep. Danny Alvarez (R-Riverview) repeal the Florida Motor Vehicle No-Fault Law (PIP).

**Naturopathic Medicine** - [HB 843](#) by Rep. David Smith (R-Winter Springs) and [SB 898](#) by Sen. Ileana Rodriguez (R-Doral) create the Board of Naturopathic Medicine within the Department of Health (DOH). [HB 845](#) also by Rep. David Smith and [SB 900](#) by Sen. Ileana Rodriguez require the Board of Naturopathic Medicine to establish certain fees licensure by examination and licensure by endorsement, respectively, of naturopathic physicians.

**Patient-directed Doctor's Orders** – [HB 219](#) by Rep. Susan Plasencia (R-Winter Park) and [SB 390](#) by Sen. Joe Gruters (R-Sarasota) establish the PDDO Program within the Department of Health and authorize EMTs and certain health care professionals to withhold or withdraw cardiopulmonary resuscitation or other medical interventions if presented with PDDO form that contains order not to resuscitate. [HB 221](#) also by Rep. Plasencia and [SB 392](#), also by Sen. Gruters, create an exemption from public records for personal identifying information held in database for Patient-directed Doctor's Order forms and authorize disclosure of such information to certain entities and individuals under specified conditions.

**Pharmacy** – [SB 444](#) by Sen. Jay Collins (R-Tampa) and [HB 493](#) by Rep. Spencer Roach (R-North Fort Myers) authorize registered pharmacy technicians to dispense medicinal drugs under certain circumstances, define the terms “supervising pharmacy” and “telepharmacy,” provide requirements for remote-site pharmacies, exempt registered pharmacists serving as prescription department managers for remote-site pharmacies from certain practice limitations.

**Prescriptive Authority for Psychologists** – [HB 955](#) by Rep. Gallop Franklin (D-Tallahassee) and [SB 1282](#) by Sen. Corey Simon (R-Tallahassee) require the Board of Psychology to certify psychologists to exercise prescriptive authority if they meet specified criteria, specify requirements for the prescribing of drugs and controlled substances by a prescribing psychologists, and require the Board of Psychology to establish an interim panel for a specified purpose by a specified date.



**Proprietorship by Nonphysicians** - [SB 316](#) by Sen. Bobby Powell (D-West Palm Beach) and [HB 345](#) by Rep. Kelly Skidmore (D-Delray Beach) prohibit specified acts by persons or entities other than licensed physicians and licensed entities.

**Protection of Medical Freedom** – [SB 680](#) by Sen. Joe Gruters (R-Sarasota) and [HB 1535](#) by Rep. Rachel Saunders Plakon (R-Longwood) prohibit the Department of Health from requiring enrollment in the state’s immunization registry or otherwise requiring persons to submit to immunization tracking, prohibit business entities from requiring individuals to provide proof of vaccination or post infection recovery from any communicable disease to gain access to, entry upon, or service from such entities, add a person’s vaccination and immunity status to the prohibited forms of discrimination by local housing assistance plans, prohibit employers from discriminating against an individual solely on the basis of vaccination or immunity status, prohibit places of public accommodation from discriminating on the basis of vaccination or immunity status, and prohibit the Department of Health from requiring, as a school-entry requirement, that children receive immunizations approved only for emergency use.

**Public Records/ Interstate Medical Licensure Compact, the Audiology and Speech-language Pathology Interstate Compact, and the Physical Therapy Licensure Compact** – [PCB SHI 24-01](#) by the House Select Committee on Health Innovation provides a public records exemption relating to records in the Interstate Medical Licensure Compact, the Audiology and Speech-language Pathology Interstate Compact, and the Physical Therapy Licensure Compact created in [HB 1549](#)

**Recovery of Damages in Claims for Medical Negligence** – [HB 77](#) by Rep. Spencer Roach (R-North Fort Myers), [HB 129](#) by Rep. Vicki Lopez (R-Coral Gables) and Rep. Mike Beltran (R-Apollo Beach), [SB 442](#) by Sen. Lauren Book (D-Plantation); [SB 248](#) by Sen. Clay Yarborough (R-Jacksonville) and [SB 310](#) by Sen. Jonathan Martin (R-Fort Myers) remove a provision that prohibits parents of adult child from recovering certain damages in medical negligence suits.

**Short-acting Bronchodilator Use in Public and Private Schools** – [HB 883](#) by Rep. Traci Koster (R-Tampa) and [SB 962](#) by Sen. Ed Hooper (R-Clearwater) authorize certain public & private school students to carry short-acting bronchodilators & components; provides school district, public school, private school, and parental requirements.

**Sickle Cell Care Management and Treatment Education for Physicians** – [HB 349](#) by Rep. Felicia Simone Robinson (D-Miami Gardens) and [SB 552](#) by Sen. Darryl Rouson (D-St. Petersburg) require education on sickle cell care management and treatment protocols for physicians to renew a license and requires the Department of Health to evaluate physician survey results and annually report to Governor and Legislature on patient outcomes as result of such education.

**Sudden Cardiac Arrest Informational Posters** – [SB 124](#) by Sen. Linda Stewart (D-Orlando) requires the Department of Health to create an informational poster relating to the treatment of sudden cardiac arrest.