



**Florida Academy of Family Physicians  
2020 Legislative Session  
Interim Capital Update #1  
October 21, 2019**

The legislature completed its second week of committee meetings last week leading up to the 2020 Legislative Session with many agendas concentrated around executive agency updates, panel discussions, and expert presentations on a myriad of issues: Hurricane Dorian and Michael recovery, climate change, balance billing implementation, the Interstate Medical Licensure Compact, recreational and medical marijuana, etc.

On Monday, October 21<sup>st</sup>, the Senate will convene a special session to consider whether to follow the Senate special master's recommendation to reinstate former Broward County Sheriff Scott Israel who was removed by Governor DeSantis following the Marjory Stoneman Douglas shooting. Immediately following the special session, the third interim committee week began with meeting agendas featuring presentations on the health risks related to vaping, the Hepatitis A outbreak, the state Opioid Response Grant, and Community Based Care funding.

As of October 18<sup>th</sup>, 645 House and Senate bills have been filed for consideration during the 2020 Legislative Session. Legislation of interest to the FAFP is tagged and tracked as bills are filed. Following is a brief summary of the key issues impacting the Florida Academy of Family Physicians (FAFP). There are many bills expected to be filed concerning the practice of family medicine (e.g., scope expansion by mid-level practitioners, pharmacists, etc.) so stand by for more to come!

**2020 Doctor of the Day Program**

Now is the time for FAFP members to volunteer to take part in the 2020 Doctor of the Day program during each of the nine-weeks of the 2020 Legislative Session which is early this year, running from January 14 through March 13. FAFP's membership has maintained strong representation in Tallahassee to advance our advocacy efforts! For further information about the program, please contact FAFP Executive Vice President Jay Millson at [jmillson@fafp.org](mailto:jmillson@fafp.org).

**Legislation of Importance to FAFP**

Bills are marked with FAFP's position:  **Support**  **Oppose**  **Monitoring**

**? Psychologist Prescribing**

**SB 448** by Senator Jeff Brandes (R-St. Petersburg) allows certified, licensed psychologists to prescribe, administer, discontinue, and distribute prescription drugs, including controlled substances. We anticipate that House legislation will be filed soon.

Link to SB 448: <http://www.flsenate.gov/Session/Bill/2020/448>

 **Prohibited Acts by Health Care Practitioners:**

HB 309 by Representative/Dr. Massullo (R- Beverly Hills) and SB 500 by Senator Harrell (R- Stuart) authorizes disciplinary action to be enforced by DoH for use of specified names or titles without valid license or certification to practice as such; provides penalties. The FAFP is working to ensure the language “family physician” is inserted into the bill once heard in committee.

Link to HB 309: <https://www.flsenate.gov/Session/Bill/2020/309>

 **Dispensing Medicinal Drugs**

**SB 100** by Senator Gayle Harrell (R-Stuart) and **HB 57** by Rep. Matt Willhite (D-Wellington) authorize individuals licensed to prescribe medicinal drugs in an institutional pharmacy to dispense a 48-hour supply, rather than a 24-hour supply. The legislation also authorizes these individuals to dispense a 72-hour supply of drugs if a state of emergency has been declared in the area. On October 15<sup>th</sup>, SB 100 passed the Health Policy Committee by a vote of 10 to 0.

Link to SB 100: <http://www.flsenate.gov/Session/Bill/2020/100>

Link to HB 57: <http://www.flsenate.gov/Session/Bill/2020/57>

 **Prior Authorization for Opioid Alternatives**

**SB 298** by Senator Gary Farmer (D-Fort Lauderdale) prohibits health insurance policies from requiring that treatment with an opioid analgesic drug product be attempted and have failed before authorizing the use of a nonopioid-based analgesic drug product.

Link to SB 298: <http://www.flsenate.gov/Session/Bill/2020/298>

 **Automated Pharmacy Systems**

**HB 59** by Rep. Matt Willhite (D-Wellington) authorizes community pharmacies to use an automated pharmacy system and provides that certain drugs stored in an automated system for outpatient dispensing are part of the inventory of the pharmacy providing services through the system.

Link to HB 59: <http://www.flsenate.gov/Session/Bill/2020/59>

 **Exemptions from School-entry Vaccinations**

**SB 64** by Senator Lauren Book (D-Plantation) removes the exemptions from school-entry health examinations and immunization requirements for religious reasons and requires the Board of Medicine and the Board of Osteopathic Medicine to jointly create a medical exemption review panel.

Link to SB 64: <http://www.flsenate.gov/Session/Bill/2020/64>

 **Student Loans and Scholarship Obligations of Health Care Practitioners**

**SB 66** by Senator Janet Cruz (D-Tampa) and **HB 77** by Rep. Joy Goff-Marcil (D-Maitland) establish that a health care practitioner’s failure to repay a student loan or to comply with the service scholarship obligations does not constitute grounds for a disciplinary action. The legislation also removes the current civil fine and the requirement that the Department of Health investigate and prosecute health care practitioners for failing to repay student loans.

Link to SB 66: <http://www.flsenate.gov/Session/Bill/2020/66>

Link to HB 77: <http://www.flsenate.gov/Session/Bill/2020/77>



### **Impaired Practitioner Program**

**SB 350** by Senator Aaron Bean (R-Fernandina Beach) creates a student evaluation program within the Department of Health (DOH) to evaluate students who are preparing for licensure as practitioners and who have or are suspected of having an impairment that could affect a student's ability to practice with skill and safety if the student were licensed, registered, or certified.

Link to SB 350: <http://www.flsenate.gov/Session/Bill/2020/350>



### **Insurance Coverage for Hearing Aids for Children**

**HB 125** by Rep. Chuck Brannan (D-Lake City) requires certain health insurance policies to provide hearing aid coverage for insured children and provides coverage requirements, including a minimum coverage amount of \$3,500 per ear within a 24-month period for the child.

Link to HB 125: <http://www.flsenate.gov/Session/Bill/2020/125>



### **Emergency Room Health Care Practitioners Public Records Exemption**

**HB 145** by Rep. Mike Grieco (D-Miami Beach) provides a public records exemption for personal identifying and location information of current or former emergency room health care practitioners and their spouses and children.

Link to HB 145: <http://www.flsenate.gov/Session/Bill/2020/145>



### **Wellness Examinations**

**SB 208** by Senator Perry Thurston (D-Fort Lauderdale) specifies that physical examinations are included as support services under the student support services team program. The bill also exempts a child from the adolescent well-care examination upon a parent's written request stating objections on religious grounds. The bill also requires district school boards and private school governing authorities to require and enforce policies that certain children present proof of an adolescent well-care examination each year and requires them to refuse to admit children who fail to present such proof.

Link to SB 208: <http://www.flsenate.gov/Session/Bill/2020/208>



### **DOH Legislative Package**

**SB 230** by Senator Gayle Harrell (R-Stuart) updates numerous provisions relating to health care practitioners and facilities regulated by the Department of Health (DOH), Division of Medical Quality Assurance (MQA). On October 15<sup>th</sup>, SB 230 passed the Health Policy Committee as a committee substitute by a vote of 10 to 0. Some of the specific provisions contained in the bill:

- Grants rulemaking authority to the DOH for responsibilities relating to maximizing the use of existing programs and coordinating stakeholders and resources to develop a state strategic plan, including the process of selecting physicians under the Conrad 30 Waiver Program;
- Requires DOH to develop strategies to maximize federal-state partnerships that incentivize physicians to practice in medically underserved or rural areas;

- Repeals the requirement that the Board of Medicine (BOM) conduct a review of organizations that board-certify physicians in dermatology;
  - Updates the osteopathic internship and residency accrediting agencies to include the Accreditation Council for Graduate Medical Education (ACGME);
  - Revises and updates the massage therapy licensure requirements, athletic trainer educational and internship requirements, as well as licensure requirements for Marriage and Family Therapists and Mental Health Counselors;
  - Updates the name of the accreditation body for psychology programs and revises the requirements for psychology licensure;
  - Replaces the term “acquired immune deficiency syndrome” with “human immunodeficiency virus” to broaden the purpose of the DOH’s regional patient care networks to include persons with HIV, who might not have developed AIDS, as well as patients with AIDS;
  - Revises the DOH’s health care practitioner licensing provisions to permit the DOH to issue a temporary license, that expires in 60 days, instead of 30 days, to a nonresident or non-citizen physician who has accepted a residency, internship, or fellowship in Florida and has not yet received a social security number; and
  - Authorizes the DOH to issue medical faculty certificates to full-time faculty at Nova Southeastern University or Lake Erie College of Osteopathic Medicine.
- Link to SB 230: <http://www.flsenate.gov/Session/Bill/2020/230>



### **Osteopathic Physician Licensure Requirements**

**SB 218** by Senator Gayle Harrell (R-Stuart) and **HB 221** by Rep. Spencer Roach (R-North Fort Myers) revise the licensure requirements for persons seeking licensure or certification as a DO. SB 218 will be heard in the Senate Health Policy Committee on October 22<sup>nd</sup>.

Link to SB 218: <http://www.flsenate.gov/Session/Bill/2020/218>

Link to HB 221: <http://www.flsenate.gov/Session/Bill/2020/221>



### **Medicaid Expansion & Coverage**

**SJR 224** by Senator Annette Taddeo (D-Miami) and **HJR 247** by Rep. Cindy Polo (D-Miramar) propose an amendment to the State Constitution to provide Medicaid coverage to persons under age 65 who have an income equal to or below 138 percent of the federal poverty level.

Link to SJR 224: <http://www.flsenate.gov/Session/Bill/2020/224>

Link to HJR 247: <http://www.flsenate.gov/Session/Bill/2020/247>

**HB 219** by Rep. Barbara Watson (D-Miami Gardens) and **SB 164** by Senator Perry Thurston (D-Fort Lauderdale) extend Medicaid eligibility to adults who are under 65 years of age whose income does not exceed 133 percent of the federal poverty level.

Link to HB 219: <http://www.flsenate.gov/Session/Bill/2020/219>

Link to SB 164: <http://www.flsenate.gov/Session/Bill/2020/164>