



**Florida Academy of Family Physicians**  
**2023 Legislative Session Update – Week 8**  
April 28, 2023

Both the state budget negotiations and the final days of policy debate are on a parallel track as the Legislature completes week 8 of its 9-week session. The final details of a \$113 billion plus budget are expected to wrap up this weekend, completing what has so far been a smooth budget conference process. On the policy front, the House and Senate procedural rules help to narrow the list of bills that are available for final passage to just those bills that have moved through the committee process (unless the rules are waived!). Of course, even with these procedural restrictions, hundreds of bills are left to be negotiated in the Legislative Session's final days. Expect lawmakers to spend hours on the floor next week finishing up their work, with an expected on-time conclusion of May 5.

**Doctor of the Day**

FAFP Board member Dr. Dan Montero was in Tallahassee this week serving as Doctor of the Day with sponsorship by future House Speaker designee Representative Sam Garrison. He was also able to get a quick photo op with current Speaker Paul Renner. Our thanks to Dr. Montero for representing family medicine during the eighth week of the legislative session!



**Legislation of Interest to FAFP (alphabetically)**

**Assault or Battery on Hospital Personnel** – [HB 825](#) by Rep. Kimberly Berfield (R-Clearwater) and [SB 568](#) by Sen. Ana Maria Rodriguez (R-Doral) reclassify certain offenses committed against hospital personnel while engaged in performance of their duties.

**HB 825 passed the House 109-0 and now heads to the Senate for consideration.**  
**SB 568 is on the Senate Calendar.**

**Blood Clot and Pulmonary Embolism Policy Workgroup** – [HB 483](#) by Rep. Dean Black (R-Jacksonville) and [SB 612](#) by Sen. Clay Yarborough (R-Jacksonville) require the Secretary of Health Care Administration, in conjunction with State Surgeon General, to establish a blood clot & pulmonary embolism policy workgroup.

**HB 483 is on the House Calendar. SB 612 passed the Senate 39-0 and awaits House action.**

**Child Protection in Public Schools** – [SB 1320](#) by Sen. Clay Yarborough (R-Jacksonville) and [HB 1069](#) by Rep. Stan McClain (R-Ocala) prohibit an employee, contractor, or student of a public school from being required to refer to a person using personal titles or pronouns that do not correspond with that person's sex, prohibit classroom instruction by school personnel on sexual orientation or gender identity until grade 9. The bills also provide that materials used to teach reproductive health must be approved by the Department of Education and require district school boards to adopt and publish a specified process relating to student access to certain materials.

**SB 1320 is on the 5/2/23 Senate Special Order Calendar.**

**HB 1069 passed the House 77-35 and now heads to the Senate for consideration.**

**Concealed Carry of Weapons and Firearms Without a License** – [HB 543](#) by Rep. Chuck Brannan (R-Lake City) and Rep. Bobby Payne (R-Palatka) authorizes a person to carry a concealed weapon or a concealed firearm without a specific license provided the person satisfies the training requirements and criteria for receiving and maintaining a concealed weapons permit and produces that identification to law enforcement on demand. The bill also establishes a number of school safety programs and protocols including allowing private schools to establish school safety officers and implement school guardian programs with local law enforcement agencies, maintains concealed carry exclusion zones for schools and school sponsored events, requiring law enforcement agencies to adopt “Active Assailant Response” policies, requires the development of a statewide school safety behavioral threat management operation process and database, and establishes a “Safe Schools Canine Program” to allow for gun sniffing dogs in schools.

**HB 543 passed the House on 3/24/23, passed the Senate on 3/30/23 and was signed into law by the Governor on 4/3/23.**

**Controlled Substance Testing** - [HB 165](#) by Rep. Christine Huschofsky (D-Coconut Creek) and [SB 164](#) by Sen. Tina Polsky (D-Boca Raton) revise the definition of "drug paraphernalia" to exclude certain narcotic-drug-testing products.

**HB 165 is on the House Calendar. SB 164 passed the Senate 39-0 and awaits House action.**

**COVID-19 Mandates and Treatment Options** – [HB 1013](#) by Rep. Phillip Wayne Griffiths (R-Panama City) and [SB 252](#) by Sen. Colleen Burton (R-Lakeland) prohibit business entities, governmental entities, and educational institutions from imposing COVID-19 testing, facial covering, and vaccination mandates. The bills also prohibit hospitals from interfering with patients' right to choose COVID-19 treatment alternatives and require health care practitioners to obtain informed consent about COVID-19 treatment options. The bills require healthcare practitioners who operate or manage an office to establish policies and procedures for facial coverings that are consistent with certain standards. [HB 1015](#) also by Rep. Griffiths and [SB 238](#) also by Sen. Burton provide public records exemptions for records held by the state authorizing the disclosure of this information.

**HB 1013 & 1015 are on the House Calendar. Both SB 252 and SB 238 have passed the Senate.**

**Department of Health** – [SB 1506](#) by Sen. Ana Maria Rodriguez (R-Doral) and [HB 1387](#) by Rep. Juan Carlos Porras (R-Miami) are the Department of Health legislative package. The bills prohibit certain research in this state relating to enhanced potential pandemic pathogens, prohibit medical marijuana treatment centers from producing marijuana products that are attractive to children or manufactured in specified manners, require local registrars to electronically file all live birth, death, and fetal death records in their respective jurisdictions in the department’s electronic registration system, revise the types of health care practitioners who may make certain determinations of death, extend the timeframe for the confidentiality of certain birth records, and revise revising the scope of practice for audiologists, as it relates to hearing aids to apply to prescription hearing aids only.

**SB 1506 is on the 5/1/23 Senate Special Order Calendar.**

**HB 1387 passed the House 93-14 and now heads to the Senate for consideration.**

**Education and Training for Alzheimer’s Disease and Related Forms of Dementia** – [SB 1182](#) by Sen. Corey Simon (R-Tallahassee) and [HB 299](#) by Reps. Dean Black (R-Jacksonville) and Michelle Salzman (R-Cantonment) designate the “Alzheimer’s Disease and Related Forms of Dementia Education and Training Act” and require the Department of Elderly Affairs to offer certain education and training about Alzheimer’s disease and related forms of dementia to the general public.

**SB 1182 is on the 5/1/23 Senate Special Order Calendar.**  
**HB 299 passed the House 115-0 and now heads to the Senate for consideration.**

**Florida Kidcare Program Eligibility - [HB 121](#)** by Reps. Robin Bartleman (D-Weston) and Dana Trabulsky (R-Fort Pierce) and **[SB 246](#)** by Sen. Alexis Calatayud (R-Miami) increase the income eligibility threshold for coverage under Florida Kidcare program to 300% of the federal poverty level and require that premiums for certain enrollees under program be based on tiered system of uniform premiums.

**HB 121 passed the House 105-0 and now heads to the Senate for consideration.**  
**SB 246 is on the Senate Calendar.**

**Gender Clinical Interventions - [SB 254](#)** by Sen. Clay Yarborough (R-Jacksonville) prohibits the expenditure of state funds by specified entities for sex-reassignment prescriptions or procedures, prohibit sex-reassignment prescriptions or procedures for patients younger than 18 years of age, and creates requirements for voluntary, informed consent that must be met in order for a patient 18 years of age or older to be treated with sex-reassignment prescriptions or procedures. The bill also creates criminal penalties for the provision of sex-reassignment prescriptions or procedures, provides that a practitioner who is arrested for the crime of providing sex-reassignment prescriptions or procedures may have his or her license suspended via emergency order of the Department of Health, and requires that any hospitals, ambulatory surgical centers, or physician's offices must provide a signed attestation that the facility or office does not offer or provide sex-reassignment prescriptions or procedures for children.

**SB 254 passed the House 82-31 and is now going back to the Senate for consideration.**

**Health Care Practitioner Titles and Abbreviations - [HB 583](#)** by Rep. Dr. Ralph Massullo (R-Inverness) and **[SB 230](#)** by Sen. Gayle Harrell (R-Stuart) specify which titles and abbreviations health care practitioners may use in their advertisements and communications to the public. The bills also have provisions for the wearing of name tags when treating or consulting with a patient.

**HB 583 is on the House Calendar.**  
**SB 230 passed the Senate 37-0 and now heads to the House for consideration.**

**Immigration - [SB 1718](#)** by Sen. Blaise Ingoglia (R-Spring Hill) and **[HB 1617](#)** by Rep. Kiyon Michael (R-Jacksonville) prohibit local governments from providing funds to any person, entity, or organization to issue identification documents to an individual who does not provide proof of lawful presence in the United States. The bills also require private employers with 25 or more employees to use the EVerify system for new employee, enhance penalties for non-use of the EVerify system, enhance the crime of human smuggling in certain circumstances, allows law enforcement to send certain information to federal immigration authorities, allow for closer coordination between state and federal immigration authorities, specify that certain driver licenses and permits issued by other states exclusively to unauthorized immigrants are not valid in Florida, require certain hospitals to collect patient immigration status data information on admission or registration forms, require the Department of Economic Opportunity to require repayment of economic development incentives if the department finds that an employer has knowingly employed an unauthorized alien without verifying the employment eligibility of such person.

**SB 1718 passed the Senate 27-10 and is now headed to the House for consideration.**  
**HB 1617 is on the House Calendar.**

**Interstate-Mobility and Universal-Recognition Occupational Licensing Act** – [SB 1364](#) by Sen. Jay Collins (R-Tampa) and [HB 1333](#) by Rep. Traci Koster (R-Tampa) create the “Interstate-Mobility and Universal-Recognition Occupational Licensing Act.” The bills require Florida licensing boards that issue occupational licenses or government certifications to individuals relating to the regulations of professions by the Department of Business and Professional Regulation or the Department of Health to issue an occupational license or government certification (universal license) to eligible applicants, under certain circumstances (universal licensing requirement). Under the bills, an applicant with a valid occupational license or certification in good standing, or who otherwise meets the requirements for an occupational license for a lawful occupation, is presumed to be qualified for the license and must be issued an occupational license or government certification by the appropriate Florida licensing board. HB 1333 was amended to exclude physicians from the bill. [SB 1366](#), also by Sen. Collins, authorizes an application fee for the license.

[SB 1364](#) has passed all its committees but has not yet been added to the Senate Calendar.  
[HB 1333](#) is on the House Calendar.

**Medicaid Coverage of Continuous Glucose Monitors** - [SB 988](#) by Sen. Colleen Burton (R-Lakeland) and [HB 967](#) by Rep. Melanie Bell (R-Fort Meade) require the Agency for Health Care Administration to provide coverage for continuous glucose monitors under the Medicaid pharmacy benefit to treat Medicaid recipients diagnosed with diabetes who meet certain criteria and requirements, subject to the availability of funds and any limitations or directions provided in the General Appropriations Act.

[SB 988](#) is on the 5/2/23 Senate Special Order Calendar.

[HB 967](#) passed the House by a vote of 116-0 and now heads the Senate for consideration.

**Medicaid Step Therapy/Mental Illness** - [SB 112](#) by Sen. Gayle Harrel (R-Port St. Lucie) and [HB 183](#) by Rep. Karen Gonzalez Pittman (R-Tampa) require the Agency for Health Care Administration to approve certain prescription drug products for Medicaid recipients for the treatment of serious mental illness without step-therapy prior authorization.

[SB 112](#) passed the Senate 35-0 and now heads to the House for consideration.

[HB 183](#) has passed 2 of 3 committees of reference and is now in the House Health and Human Services Committee.

**Physician Assistant Licensure** –[HB 1133](#) by Rep. Alex Rizo (R-Hialeah) revises requirements for an applicant for licensure as a physician assistant.

[HB 1133](#) passed the House on 4/20/23, passed the Senate on 4/27/23 and has been ordered enrolled.

**Pregnancy and Parenting Support** –[SB 300](#) by Sen. Erin Grall (R-Fort Peirce) prohibits the use of state funds for person to travel to another state to receive services to support abortion. The bill requires DOH to report to the Governor and Legislature information relating to Florida Pregnancy Care Network, Inc., and prohibit physicians from knowingly performing or inducing termination of pregnancy after six weeks.

[SB 300](#) passed the Senate on 4/3/23 passed the House on 4/13/23 and was signed by the Governor on 4/13/23.

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**Prescription Drugs** – [SB 1550](#) by Sen. Jason Brodeur (R-Lake Mary) and [HB 1509](#) by Rep. Linda Chaney (R-St. Petersburg) create the "Prescription Drug Reform Act." The bills specify additional prohibited acts related to the Florida Drug and Cosmetic Act, require certain drug manufacturers to notify the Department of Business and Professional Regulation of reportable drug price increases, require such manufacturers to submit certain reports to the department by a specified date each year, provide requirements for certain contracts between a pharmacy benefit managers and a pharmacy benefits plans or programs or participating pharmacies, and require the office to review certain referrals and investigate them under certain circumstances. The bills have an appropriation of \$1.5 million. A companion bill - [SB 1552](#) also by Sen. Brodeur - creates a public records exemption for the books and records of administrators held by the Office of Insurance Regulation for purposes of examination, audit, and inspection to incorporate the inclusion of pharmacy benefit managers as administrators under the Florida Insurance Code.

**SB 1550 passed the Senate 40-0 and now heads to the House for consideration.**

**SB 1552 passed the Senate 40-0 and now heads to the House for consideration.**

**HB 1509 is on the House Calendar.**

**Protections of Medical Conscience** – [HB 1403](#) by Rep. Dr. Joel Rudman (R-Navarre) and [SB 1580](#) by Sen. Jay Trumbull (R-Panama City) authorize health care providers and health care payors to opt out of participation in or payment for certain health care services by conscience-based objections without discrimination or threat of adverse actions. The bills require notification when such health care provider declines to participate in certain health care services and prohibit certain boards and DOH from taking disciplinary actions under certain circumstances.

**HB 1403 was temporarily postponed on the 4/28/23 House Special Order Calendar.**

**SB 1580 passed the Senate 28-11 and is now headed to the House for consideration.**

**Referral of Patients by Health Care Providers** – [HB 601](#) by Rep. Kevin Steele (R-Hudson) and [SB 768](#) by Sen. Jonathan Martin (R-Fort Myers) remove definition of the terms "direct supervision" & "present in office suite" and revise the definition of the term "referral" to remove direct physician supervision and require compliance with certain Medicare payments & rules.

**HB 601 is on the House Calendar.**

**SB 768 passed the Senate 39-0 and is now headed to the House for reconsideration**

**Surrendered Newborn Infants** – [SB 870](#) by Sen. Colleen Burton (R-Lakeland) and [HB 899](#) by Rep. Mike Beltran (R-Valrico) revise the definition of the term "newborn infant" and authorize certain hospitals, emergency medical services stations, and fire stations to use newborn infant safety devices to accept surrendered newborn infants if the device meets specified criteria. The bills also authorize a parent to leave a newborn infant licensed health care professional at a hospital and provide that a parent who leaves a newborn infant in a newborn infant safety device has the right to remain anonymous and not to be pursued or followed.

**SB 870 has passed 2 of 3 committees of reference and is now in the Senate Rules Committee.**

**HB 899 passed the House 111-0 and now heads to the Senate for consideration.**

**Telehealth** - [HB 267](#) by Rep. Tom Fabricio (R-Hialeah) and [SB 298](#) by Sen. Jim Boyd (R-Bradenton) revise the definition of "telehealth" to include health care services provided through audio-only means.

**HB 267 passed the House 115-0 and now heads to the Senate for consideration.**

**SB 298 is on the Senate Calendar.**

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**Telehealth/Genetic Counselors** - [SB 218](#) by Sen. Gayle Harrell (R-Port St. Lucie) adds genetic counselors to those medical providers authorized to be a telehealth provider.

**SB 218 passed the Senate on 3/23/23, passed the House on 4/20/23 and has been ordered enrolled.**

**Withholding or Withdrawal of Life-prolonging Procedures** – [HB 1119](#) by Rep. Kimberly Berfield (R-Clearwater) and [SB 1098](#) by Sen. Colleen Burton (R-Lakeland) regulates the authority of a court appointed guardian to withhold or withdraw life prolonging procedures, or sign an order not to resuscitate.

**HB 1119 passed the House 112-0 and now heads to the Senate for consideration.**

**SB 1098 is on the 5/2/23 Senate Special Order Calendar.**