



Florida Legislative Review

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Delray Beach, Florida

2014 Legislative Session

- During the 2014 Legislative session a total of 1,989 bills were introduced; however, only 269 passed.
- This was fewest amount of bills passed in a session since 2001.
- Election year politics- All House seats up and 20 Senate seats.

2014 Legislative Session

- The major driving forces behind the 2014 Health Care Issues were:
- Health Care Personnel Shortage(s), including both Physicians and Nurses.
- House leadership created a “Health Care Workforce Innovation Taskforce Committee”, with the stated purpose to, “Investigate Florida’s health care practitioner needs and explore policy options for meeting those needs”.
- Scope of Practice-Wide differences between House and Senate.

Telemedicine

- **SB 1646** created the “Florida Telemedicine Act”. The act establishes telemedicine as the practice of medicine through advanced communications technology by a telemedicine provider at a distant site.
- A telemedicine provider is a physician or physician assistant, an advanced registered nurse practitioner, or a licensed pharmacist. The legislation originally permitted out of state Physicians not licensed in Florida to provide telemedicine services in this state.
- The legislation was later amended to require anyone providing such services to Florida patients to have a Florida License.

Telemedicine (continued)

- According to the American Telemedicine Association services provided by Telemedicine include ; Primary care and specialist referral services that involve a primary care or an allied health professional providing consultation with a patient or specialist assisting the primary care physician with diagnosis .
- Remote patient monitoring that includes using devices to collect and send data to home health agencies or remote diagnostic facilities; Consumer medical and health information and provides online discussion groups for peer to peer support; Medical education that provides continuing medical education credits. assisting the primary care physician with diagnosis

Telehealth Bill

- **HB 751.** Telehealth is a broad term which includes telemedicine and telemonitoring. Telemedicine is focused on delivery of traditional clinical services, like diagnosis, and treatment.
- Telehealth more broadly includes non-clinical services, such as patient and professional health related education, public health and health administration.
- HB751 provides practice standards for “Telehealth providers” as the same for in-person providers.
- Defines “Telehealth provider “as any person who provides health care related services who is a licensed health care professional.
- Requires “telehealth provider” to use same standard of care as in person health care services.

- **Advanced Registered Nurse Practitioners.**

Fact: Florida is the most restrictive practice state for advanced registered nurse practitioner (ARNP's) in the country. Florida's laws require ARNPs to practice under a supervising physician and only to the extent that a written protocol allows. Florida is the only state that prohibits ARNPs from prescribing controlled substances. During 2012-2013 Florida had 17,958 ARNPs. Florida Center for Nursing reports that over 30% of Florida ARNPs were 51-60 years of age.

SB 1352- Sen. Grimsley's legislation would change the name from advanced registered nurse practitioners to 'Advance Practice Registered Nurses'.

- Authorized APRNs to prescribe controlled substance subject to a formulary adopted by a committee appointed by the Board of Nursing.
- Add grounds for discipline of an APRN related to prescribing that are same as apply to other health care practitioners that have prescribing authority.
- Prohibit the unauthorized use of the title "Certified Nurse Practitioner" or related abbreviations and provide penalties.

HB 7071- By the select committee on health care workforce innovation and Rep. Pigman. Changed ARNP's name to Advanced Practice Nurse Practitioners.

- Authorized prescribing of controlled substances if allowed under written protocol signed by supervising physician.
- Authorized those that are nationally certified as psychiatric-mental health advance practice nurses to examine persons admitted into receiving facilities under the baker act.
- Allowed APRN's that meet certain criteria to register with Board of Nursing to practice any authorized nursing act without physician supervision or a protocol.
- Created "Independent advanced practice registered nurses(IAPRN's)".
- IAPRN's could Certify cause of death and sign correct, and file death certificates. Provide other endorsements that otherwise would be required signed by a Physician.
- Perform certain physical exams currently reserved for physicians and Physician assistants (pilots, law enforcement officers, child abuse victims). Allow reimbursement under personal Injury protection insurance for initial and follow up services.

SB-1388 - Registered clinical Social Work, Marriage and Family Therapy, and Mental health counseling.

- Updated and revised provisions of ch.491 which regulates interns in the fields of clinical social work, marriage and family therapy and mental health.
- Required that a licensed mental health professional be on the premises when clinical services are provided by a registered intern in a private practice setting.
- Prohibits a registered intern from engaging in his or her own independent practice.
- Limits intern registration to 5 years. Prohibits an individual who has held a provisional license from applying for an intern registration in the same profession.

2014 LEGISLATIVE SUCCESSES

- Successfully advocated and won repeal of statewide managed care requirement which required persons eligible for Medically needy program to enroll in managed care plans and pay a monthly premium of an amount equal to their share of cost calculated under the medically need program.(FRAA public policy committee priority) HB 5201
- Medicaid Managed Care Act amended to permit “prior authorizations to be electronically filed. We hope to amend in future to provide for semi-annual filings. (*FRAA Public Policy initiative*)

2014 LEGISLATIVE SUCCESSES

- Retained our exemption for Dialysis clinics in 2014 “Health Care Clinic Act”.
- Maintained current Medicaid treatment rate at \$125.00 and the direct reimbursement for Pharmaceuticals
- Reinserted proviso language directing AHCA to work with managed care plans, patients , and Physicians to ensure patients are properly assessed for their suitability for peritoneal dialysis as modality of treatment.

2014 LEGISLATIVE SUCCESSES

- **CS/HB 323 Pharmacy.** Assisted in passage of Pharmacy legislation.
- Removed cap on number of Pharmacy Techs a licensed pharmacist could supervise and restructured Board of Pharmacy.
- *NOTE:* Davita lobbying team spearheaded this initiative.

STATE AGENCY ACTIONS

- Stopped AHCA from implementing a new roll out for general institutional claims which stated, " If the primary pays 80% of Medicare allowable rate, and that rate exceeds the Medicaid rate, Medicaid will consider the claim as paid in full. Worked with Rep. Janet Cruz's office to halt this policy from applying to Dialysis clinics.

STATE AGENCY ACTIONS

- Worked with AHCA officials regarding Managed Care Transportation Problems.
- Our efforts led to a seven page AHCA transportation directive that clearly states provider requirements.
- Final Thoughts- Election Impact!

The background of the slide is a stylized American flag, rendered in shades of blue and white. The stars are visible in the upper left corner, and the stripes are visible in the lower left corner. The rest of the background is a solid dark blue.

SUPPORT FLORIDA KIDNEY DAY!

February 24 - 25, 2015 (tentative)

PLEASE SUPPORT THE FLORIDA RENAL COALITION!



Thank You