



Legislative Update - April 9, 2021

As week 6 closes in the 2021 Legislative session, general revenue estimators have added another \$2B into the coffers for final budget recommendations. While both chambers have passed their respective budgets without considering these additions, the final budget will be larger, and will include federal stimulus dollars as well as this additional jump in GR.

On Thursday, the House passed the Online Sales tax measure (SB 50) which requires online sellers to collect and remit Florida sales tax, a move that would bring in more than \$1 billion that will be used to shore up the unemployment compensation trust fund to avoid having to raise taxes on employers. The House amended the bill to also include a cut to the commercial rent tax from 5.5% to 2%.

State lawmakers may fund a potentially \$200 million cleanup of the phosphogypsum stacks at Piney Point with American Rescue Plan funds. Senate President Simpson announced the Senate will consider a budget amendment to allow for the cleanup when it considers the General Appropriations. This is following mandatory evacuation order near a leaking Florida wastewater reservoir that affected more than 300 homes and additional businesses was lifted Tuesday as officials said the situation was under control.

Included below are those bills where we are actively engaged and those we are monitoring on your behalf. Bills that are stuck in a committee of reference that will likely no longer meet have been removed from the tracker, but we are still watching in the event they move somehow procedurally. Please review and notify us if you have questions, or if there are other issues you would like us to add to the tracking. The full text of each bill is available on the legislative web sites (www.flsenate.gov and www.myfloridahouse.com.)

COVID Update:

Vaccine Update as of 4/7/21

Doses Administered: 10,212,057

Series Completed: 3,581,950

State Action:

- Governor DeSantis has expanded the eligibility guidelines for COVID_19 vaccinations to all individuals age 40 or older, beginning March 29, beginning April 5, all Florida residents shall be eligible to receive any COVID-19 vaccine as prescribed by the FDA.
 - For a comprehensive list of DOH vaccine information please visit:
 - <https://floridahealthcovid19.gov/covid-19-vaccines-in-florida/>
 - The state has launched its solution for vaccination appointment. Please visit: www.myvaccine.fl.gov although some counties have opted out of using the site and will continue to use their system.
 - If one is experiencing issues with getting vaccinated, please email: Provider.covid19@flhealth.gov

AHCA Update:

- AHCA announced they will need more time to review and have postponed the Rules workshop for

may related to the excellence in home health program as well as the delegation of certain tasks to CAN and home health aides. We will keep you updated on when these are rescheduled.

- Medicaid has released new resources related to Medicaid Change of Ownership. There is now a new CHOW webpage that can be found here: [CHOW Page](#)

Legislative Actively Engaged:

- SB 1298 Nurse Registries (Brodeur) **has not been heard in its first committee of reference**
Authorizing registered nurses to delegate to certified nursing assistants and home health aides the administration of certain medication to patients of nurse registries under certain circumstances; authorizing certified nursing assistants to administer certain medication to patients of nurse registries under certain circumstances, etc. Effective Date: 7/1/2021
- HB 1045 Delegation of the Administration of Prescription Medications (Snyder)
Authorizes registered nurse to delegate administration of certain duties for care of patient of nurse registry; authorizes certified nursing assistants to administer certain medication to patients of nurse registries. Effective Date: July 1, 2021
 - Passed Professions and Public Health 14-0, 4/1

Legislation to Monitor:

COVID Liability:

- HB 9 Protecting Consumers Against Fraud During a Pandemic (Zika)
Prohibits dissemination of false or misleading vaccine information with a specified intent; provides authority and criminal penalties, authorizes civil remedies. Effective Date: upon coming law
 - Passed House 113-0
 - Passed Rules 17-0, 3/25
 - Placed on 2nd Reading 3/25
- SB 0072 Civil Liability for Damages Relating to COVID (Brandes)
Civil Liability for Damages Relating to COVID-19; Providing requirements for a civil action based on a COVID-19-related claim; providing that the plaintiff has the burden of proof in such action; providing a statute of limitations; providing severability; providing retroactive applicability, etc. Effective Date: This act shall take effect upon becoming a law and shall apply retroactively. However, the provisions of this act shall not apply in a civil action against a particularly named defendant, which is commenced before the effective date of this act
 - Passed Senate 24-15
 - Passed House 83-31
 - Signed by the Governor

Health Care Related bills:

- SB 1132 Personal Care Attendants (Bean)/ HB 485 (Garrison)
Authorizing nursing home facilities to employ personal care attendants if they complete a certain training program developed by the Agency for Health Care Administration, in consultation with the Board of Nursing; authorizing certain persons to be employed by a nursing home facility as personal care attendants for a specified period if a certain training requirement is met, etc. Effective Date: Upon becoming a law
 - HB 485 Placed on Calendar on 2nd reading 4/1
 - SB 1132 Passed Children, Families and Elder Affairs 8-0, 3/23
- HB 309 Dementia related Staff Training (Byrd)
Dementia-related Staff Training: Requires certain entities, as condition of licensure, to provide dementia-related training for new employees; provides requirements for training; requires employees to receive additional training developed or approved by DOEA under certain circumstances; authorizes department to develop curriculum for training; encourages DOEA to consult certain nationally recognized organizations to develop registration process for training providers & assessments. Effective Date: July 1, 2021
 - Temporarily Postponed in HHS on 3/18

- SB 634 Dementia related Staff training (Gibson)
Dementia-related Staff Training: Requires certain entities, as condition of licensure, to provide dementia-related training for new employees; provides requirements for training; requires employees to receive additional training developed or approved by DOEA under certain circumstances; authorizes department to develop curriculum for training; encourages DOEA to consult certain nationally recognized organizations to develop registration process for training providers & assessments. Effective Date: July 1, 2021
 - Passed Children, Families and Elder Affairs 7-1, on 3/30
- SB 700 Telehealth (Rodriguez, A)
Requiring AHCA to reimburse the use of telehealth in certain limitation; revising the term telehealth; authorizing nonphysician health care 15 practitioners to satisfy a certain supervision 16 requirement through telehealth; authorizing out-of-17 state physician telehealth providers to engage in 18 formal supervisory relationships with certain 19 nonphysician health care practitioners in this state; revising the 23 definition of the term "pharmacy"; authorizing registered 26 pharmacy technicians to compound and dispense 27 medicinal drugs under certain circumstances
 - Passed HHS Appropriations 9-0, 4/8
- HB 247 Telehealth Practice Standard (Fabricio)
Revises definition of "telehealth"; deletes prohibition on prescribing controlled substances through telehealth. Effective Date: July 1, 2021
 - Passed Professions % Public Health 17-0, 3/23
- SB 864 Telehealth (Brodeur)
Revising the definition of the term "telehealth"; revising an exemption from telehealth registration requirements, etc. Effective Date: 7/1/2021
 - Passed Health Policy 10-0, 3/17

Other Legislative Issues of Note:

- New government employees in Florida would have retirement savings placed in a defined contribution plan more like a 401(k) rather than the traditional defined benefit pension plan under a bill ([SB 84](#)) set for a final vote in the Senate. The change is aimed at keeping the state retirement fund able to pay its obligations. The state retirement system covers state employees, but also employees of some local governments that participate in the system. Rodrigues said the FRS is 82% funded for its full liability, with about \$36 billion in unfunded actuarial liabilities.
- The Senate Regulated Industries Committee on Monday [will take up legislation](#) that would create a state Gaming Control Commission ([SB 7076](#)) and make some changes to update the state's pari-mutuel laws ([SB 7080](#)), moving cautiously forward on possible broader changes to the state's overall gambling landscape as officials continue to negotiate with the Seminole Tribe over an expired compact on what types of gambling are allowed in Florida. The pari-mutuel bill would let casinos operate card games without running harness or quarter-horse races or jai-alai matches. Senate President Wilton Simpson on Wednesday issued a memo to the Senate announcing the bills would be taken up, and saying the state continues to negotiate with the tribe.
- Before adjourning its session for the day on Wednesday, the Senate ordered up one more bill for the road. The chamber voted 38-2 in favor of a measure ([SB 148](#)) that would allow customers to get to-go alcoholic drinks from restaurants, and also to have them delivered, setting up a continuation of pandemic policy first allowed by a state emergency order last year. There was no need for state representatives to come over to share a drink. After passing it in the Senate, they simply had the bill delivered to the House.