



April 16, 2021 – Legislative Update

As we have passed the day 45 mark, notice rules have changed for both the House. House Committee or Subcommittee Notice Deadlines: After the 45th day (April 15) of regular session, notice shall be provided no later than 4:30 p.m. on the day (including Saturdays, Sundays, and official state holidays) before the committee or subcommittee meeting. After the 45th day (April 15) of a regular session, by a majority vote, the House may move to Communications, Messages from the Senate, Bills and Joint Resolutions on Third Reading, or Special Orders. Next week on April 20, we will reach Day 50. In the Senate, Day 50 is the last day for regularly scheduled committee meetings, bills stuck in committee will be considered dead, without a waive of the rules agreed upon by the Rules Chair, minority leader and the chair of which the bill is currently referenced.

Speaker Sprowls announced on Thursday evening the Chambers would be announcing allocations and budget conferees, with the potential for budget conferences to begin over the weekend.

Controversial issues dominated Chamber floor and committee action this week. Bills related to transgender athletes, anti-rioting reforms, gaming and union dues moved through chambers. Please see below for additional details on these bills.

Also of note, SB 1906, which addresses unemployment assistance and increases the weekly benefit to \$375 has bipartisan support in the Senate and is expected to be included within budget talks. However, Governor DeSantis indicated he did not support changes to the benefit. The bill also amends some of the re-employment effort requirements. And as amended in Appropriations this week, also allows calculation of wages based on alternative base periods.

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 4/15/21

Doses Administered: 11,956,854

Series Completed: 4,779,216

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 is 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
- As of April 14, 2021, the state of Florida is pausing all Johnson & Johnson (Jansenn) vaccines per the recommendation of the Centers for Disease Control (CDC) and Food and Drug Administration (FDA) for the time being. [Click here](#) to learn more about the CDC and FDA guidance.

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 Placed on Appropriations Agenda for 4/19
- 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

 - Passed HHS, with amendments 21-0, 4/14
- 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 HHS 20-0, 4/14
- 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:

- The Senate passed a measure Thursday aimed at toughening penalties on people who participate in violence during demonstrations after an emotional debate in which several Black senators said the bill further attacks those already disenfranchised and victimized by racism. The legislation ([HB 1](#)) is the top priority for Gov. Ron DeSantis, who now gets the bill, which had passed the House earlier. The measure, which passed the Senate 23-17.
- The House Judiciary committee unanimously passed legislation ([PCB JDC 21-01](#)) that seeks to begin to address concerns about police use of force by setting out new basic training standards and more reporting requirements around violent police encounters. The measure, backed by Republican House leaders and the Black Legislative Caucus, would also require separate police agencies or a state attorney to investigate all police shootings, whether the shooting victim dies or is wounded. Other provisions of the legislation include a minimum arrest age of 7, and specifics of the required training for all officers that would include a duty to intervene in excessive uses of force by other officers and a duty to render medical assistance to victims of excessive force.
- A measure aimed at preventing monopolies in the state's health care market that has been filed in years past has again gained traction this session. [HB 1219](#) is on the House Appropriations Committee for Friday. The bill would give the Florida Attorney General oversight authority in regards to certain health care transactions and mergers that meet a \$50 million-dollar revenue

threshold.

- The House Appropriations Committee is expected on Friday to take up a Senate plan that would largely scuttle a 2019 law that called for three controversial toll-road projects. The Senate passed the plan ([SB 100](#)) on March 25, but the House had not moved forward on it.
- Senate President Wilton Simpson said Thursday he remains hopeful about a possible gambling deal with the Seminole Tribe, even if lawmakers have to return to Tallahassee after the regular session to take care of it. "I believe we're in a reasonable place that a (gaming) compact could get finished sometime this year, maybe in the next week or two, maybe in a Special Session," Simpson told reporters Thursday. "I'm not pushing that off, I just think these things are very complex issues and it takes a while." Simpson, who took over as Senate President in November, has tried for three years to seal a compact with the Seminoles, which could open up sports betting in Florida and allow the tribe to begin offering craps and roulette. But an agreement has so far remained elusive.