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MEMORANDUM

DATE: January 28, 2022

SUBJECT: Weekly Update

Session is starting to take shape will multiple bills moving through committees and the beginning of floor sessions by the chambers. The House Redistricting Committee advanced a new map proposal for the state's 120 House districts on Wednesday. Committee staff drafted and released a fourth map earlier this week that made several districts more compact. HB 7501 now heads to the House floor where amendments are likely to be filed. The House and Senate are fast-tracking the redistricting maps because the Supreme Court must review the proposals for a 30-day period and the Legislature wants to leave enough time for changes later in session if required by the courts.

Gov. Ron DeSantis held a meeting Wednesday in Miami with health care officials and patients who have received monoclonal antibody treatments after contracting COVID-19. During the discussion, DeSantis heavily criticized the Food and Drug Administration's decision to no longer allow two types of monoclonal antibody treatments made by Eli Lilly and Regeneron for coronavirus infections. The governor questioned a study showing the treatments are less effective against the omicron variant and said his administration will fight for continued use of the treatments, potentially going to court.

On Wednesday during the Senate Health Policy meeting, Senate Democrats walked out of the confirmation hearing for the state Surgeon General, Dr. Joseph Lapado. Democratic members of the committee felt the Surgeon General was being unresponsive to their inquiries. Because these members left committee, Dr. Lapado's confirmation passed out of the substantive committee, unanimously.

Florida's controversial 15-week abortion bill drew a crowd of opponents to the Capitol on Thursday, forcing the House Health Care Appropriations Subcommittee to shut down public comments on the proposal due to time constraints, leaving the crowd chanting in protest as people were escorted out of the committee

room. The bill was approved by the committee on a 10-5 vote, along party lines. The measure now heads to its final committee stop, the House Health and Human Services Committee. Its similar, yet not identical Senate companion, SB 146, has yet to be heard in committee.

The Senate Appropriations Subcommittee on Health and Human Services got an update on Wednesday on Florida's health care worker shortage with the Florida Hospital Association reporting that at least 70% of hospitals in the state are experiencing critical nursing shortages. Hospital officials said finding quality faculty members for nursing schools is part of the problem and a lack of scholarships is preventing students from applying. Additionally, colleges need more options to offer hands-on training such as clinicals. An increase in pay could also help attract more nurses, especially since there is competition among states that has been exacerbated by the COVID-19 pandemic and traveling nurses from other areas don't normally end up staying or living in Florida.

In total, over bills 3500 have been filed. Below are the bills we are monitoring on your behalf. Those highlighted in yellow have recent action.

Legislation Actively Engaged:

HB 209 Family Caregiver Certified Nursing Assistant Program (Silvers)/ SB 414 (Powell)
Requires Board of Nursing, in consultation with AHCA, to develop program to train & certify family caregivers as certified nursing assistants; specifies requirements for program; authorizes family caregivers who complete program to take nursing assistant competency examination; provides such individuals are eligible for certification as nursing assistant if they pass such examination; provides conditions on certification for individuals who obtain certification as nursing assistants.

12/2/21 SB 414 Passed Health Policy 7-0

HB 469 Patient Care in Health Care Facilities (Trabulsky)/ 718 (Bradley)

Revises provisions relating to medications & devices with which unlicensed individuals may assist patients in self-administration; specifies staffing requirements for advanced life support ambulances during interfacility transfers; provides certain persons occupying such ambulances are in charge of patient care during transfers; revises list of medications that registered nurses may delegate administration of to certified nursing assistants or home health aides.

12/2/21 HB 469 Passed House Finance and Facilities, 15-0

1/19/22 HB 469 Passed House Professions and Public Health Subcommittee, 15-0

1/19/22 SB 718 was Temporarily Postponed in Health Policy

1/26/22 SB 718 Passed Senate Health Policy 9-0

HB 987 In-Person Visitation by Essential Caregivers (Shoaf)/ SB 988 (Garcia)

Provides that resident or client of residential facility, developmental disabilities center, direct service provider, nursing home facility, or assisted living facility has right to designate essential caregiver for in-person visits; requires APD & AHCA, as applicable, to develop guidelines & adopt rules relating to essential caregivers.

1/13/22 SB 988 Passed Senate Health Policy 7-0

1/27/22 HB 978 Passed Finance and Facilities 17-0

SB 988 is on Senate Appropriations Subcommittee on Health and Human Services for 2/2/22

Legislation to Monitor:

HB 17 Telehealth Standards (Fabricio)/ SB 312 Diaz

Revises prohibition on prescribing controlled substances through use of telehealth to include only specified controlled substances.

12/1/21 SB 312 Passed Senate Banking and Insurance 10-0

1/13/22 SB 312 Passed Senate Rules 15-0

1/13/22 HB 17 Passed House Professions and Public Health Subcommittee 17-0

1/24/22 HB 17 Passed House HHS Committee Agenda 20-0

1/27/22 SB 312 Passed Senate 36-0

HB 131 Military Medics and Corpsmen of Florida Program (Woodson)/ SB 466 (Torres)

Requiring the Department of Veterans' Affairs and the Department of Health to establish and administer the program; providing for eligibility; authorizing medically trained veterans participating in the program to perform certain medical activities under specified supervision, etc.

1/13/22 SB 466 Passed Health Policy 7-0

SB 296 Health Care Expenses (Garcia)

Requiring a licensed facility to establish, update, and make public a list of the facility's charges for services which meets certain federal requirements; prohibiting consumer reporting agencies from publishing a consumer report containing a medical debt credit impairment under certain circumstances; requiring the consumer reporting agency to remove the credit impairment, free of charge, under certain circumstances; authorizing patient-consumers to initiate legal proceedings for violations; prohibiting persons from reporting certain consumer debt to a consumer reporting agency without the express written consent of the creditor, etc

11/3/21 SB 296 Temporarily Postpone Senate Health Policy

HB 413 Delegation of the Administration of Prescription Medications (Snyder)/ SB 700 (Burgess)

Requires nurse registry that authorizes registered nurse to delegate tasks to certified nursing assistant or home health aide to ensure certain requirements are met; authorizes registered nurse to delegate administration of duties for care of patient of nurse registry; authorizes certified nursing assistants to administer certain medication to patients of nurse registries.

12/02/21 SB 414 Passed Senate Health Policy 7-0

1/13/22 HB 413 Passed House Professions and Public Health 16-0

1/24/22 HB 413 Passed House HHS Committee 19-0

SB 440 Overpayment of Claims (Harrell)/ HB 805 (D. Smith)

Revising the timeframe for submission of insurer and health maintenance organization claims, respectively, for overpayment to providers, etc.

SB 562 Military Occupational Licensure (Cruz)

Requiring the Department of Business and Professional Regulation or the applicable board or program to expedite professional license applications submitted by spouses of active duty members of the Armed Forces of the United States; requiring the department to issue temporary professional licenses under certain circumstances; requiring the Department of Health or the applicable board to issue a professional license to spouses of active duty members of the Armed Forces of the United States if certain requirements are met, etc.

1/12/22 SB 562 Passed Senate Military, Veteran Affairs, Space and Domestic Security 7-0

1/25/22 SB 562 Passed Senate Regulated Industries 9-0

1/25/22 HB 559 Passed Professions and Public Health Subcommittee 18-0

SB 768 Department of Health (A. Rodriguez)/ HB 693 (Drake)

Revising the purpose of the department's targeted outreach program for certain pregnant women; requiring the department to encourage high-risk pregnant women of unknown status to be tested for sexually transmissible diseases; removing the Children's Medical Services office from parties required to coordinate in the development of local emergency management plans for special needs shelters; deleting a requirement that certain nursing program graduates complete a specified preparatory course; defining the terms "doctoral degree from an American Psychological Association accredited program" and "doctoral degree in psychology", etc.

1/26/22 SB 768 Passed Senate Health Policy 10-0

1/25/22 HB 693 Passed House Professions and Public Health Subcommittee 18-0

SB 804 Modernization of Nursing Home Facility Staffing (Albritton)/ 1239 (Melo)

Specifying functions that do not constitute direct care staffing hours for purposes of required nursing home staffing ratios; revising nursing home staffing requirements; requiring nursing home facilities to maintain and report staffing information consistent with federal law, etc.

SB 836 Medication Technicians (Brodeur)/ HB 1403 (Buchanan)

Defining the term "medication technician"; providing minimum requirements and specifications for training of medication technicians, etc.

1/19/22 SB 836 Temporarily Postponed in Health Policy

1/26/22 SB 836 Passed Senate Health Policy 10-0

1/27/22 HB 1403 Passed House Finance and Facilities Subcommittee 16-0

HB 855 Managed Care Plan Performance (Bartleman)/ SB 1258 (Jones)

Requiring managed care plans to collect and report specified measures beginning with a certain data reporting period; requiring plans to stratify reported measures by specified categories beginning with a certain data reporting period; requiring a plan's performance to be published on its website in a specified manner; requiring the Agency for Health Care Administration to use the measures to monitor plan performance, etc.

01/24/22 HB 855 Passed House HHS Committee 19-0

1/26/22 SB 1258 Passed Senate Health Policy 10-0

SB 988 Patient Visitation Rights (Garcia)

Citing this act as the "No Patient Left Alone Act"; requiring providers to allow clients to receive visitors during their admission; requiring providers to develop certain alternative visitation protocols if providers have to restrict public access to their facilities for health or safety concerns; authorizing providers to require visitors to adhere to specified infection control protocols; authorizing providers to refuse visitation to a visitor who does not pass a health screening or refuses to comply with the provider's infection control protocols; requiring providers to submit their visitation policies to the Agency for Health Care Administration by a specified date for approval, etc.

1/13/22 SB 988 Passed Health Policy 7-0

1/27/22 HB 987 Passed Finance and Facilities Subcommittee 17-0

SB 988 Placed on Senate Appropriations Subcommittee on Health and Human Services Agenda for 2/2/22

SB 7014 COVID 19 related Claims Against Health Care Providers (Judiciary)/SB 610 (Brandes)/ HB 7021

Extending the timeframe for which COVID-19-related claims may be brought against health care providers, etc.

11-30-21 SB 7014 Passed Senate Judiciary 7-4

1/14/22 HB 7021 Passed Health and Human Services 15-5

1/19/22 SB 7014 Passed Senate 22-13

1/26/22 HB 7021 Passed House Judiciary Committee 15-5

HB 1507 Dementia related Staff Training (Byrd)/ SB 1572 (Baxley)

Requires DOEA or its designee to develop or approve education & training regarding care for persons with Alzheimer's disease or related dementia; provides requirements for education, training, & covered providers; revises dementia-related staff training requirements for nursing homes, home health agencies, facilities providing special care for certain persons, assisted living facilities, adult family-care homes, adult day care centers, & specialized Alzheimer's services adult day care centers.