



2018 Legislative Session Update and Summary

UPDATED 5/3/2018

by Michael Jackson, BPharm
Executive Vice President and CEO



The 2018 legislative session has come to its end and not without a fair amount of work on behalf of the Florida Pharmacy Association volunteer leaders, advocates and lobby team. Health care issues get the attention of state lawmakers because it primarily represents a major costs of government. This year

the House and Senate adopted an \$88.7 billion budget. Compare that to the \$66.5 billion budget approved for fiscal year 2009-2010. With an estimated 21 million Floridians calling our state home the cost of state government is about \$4,224 for every man woman and child living in our state. This year's budget planning as affected by two costly hurricanes that hit our coast as well as spending plans that were adopted to provide protective services in our state's schools. You can bet that health care is a major part of the costs associated with state government. That includes but is not limited to providing health care benefits for state employees, Medicaid funding and local county health departments. It is obvious to us that pharmacists can play a major role in keeping those costs under control. To do that will require some long overdue changes in the pharmacy practice act that we will discuss in this report below.

An advocacy program requires a lot of planning and preparation as well as resources. Our work not only includes proactively advocating for pharmacy issues but we also expend effort on

defense on things that we believe affect public health quality, costs and access. The planning actually begins during our annual meeting with policy statements from the FPA House of Delegates. Some of these policy statements may include action items that are then directed to the FPA leadership to implement. Because the FPA's resources are not unlimited it is necessary to begin with members of the appointed and elected Governmental Affairs Committee of the FPA. The Governmental Affairs Committee (GAC) is charged with providing guidance to the Board of Directors on legislative or regulatory issues and is required to meet at least annually. At their meeting last August the GAC formulated an advocacy plan and presented it to the Board of Directors at their August 2017 meeting for review and approval.

For the past several years we have worked with our lobby team at Adams Street Advocates (ASA) to carry our issues to the Florida Capitol. It is difficult to get bills passed and for the past several years the Governor of Florida has placed his pen on approved bills that had a lot of Florida Pharmacy Association advocacy efforts on it. Please allow me to give our many thanks to Claudia Davant, Rebecca Roman, Dave Ericks along with T.J. Morton and John Lockwood at the Lockwood Law firm for their legislative and legal services.

FPA Governmental Affairs Committee		
Aneesh Lakhani – Chair	Scott Tomerlin - Board Chair	Suzanne Wise – President
David Mackarey – Speaker	Jeanette Connelly – Vice Speaker	Ashley Huff – Treasurer
Angela Garcia – President Elect	S. Mark Hobbs – FPPC Chair	Kathy Baldwin – FSHP Liaison
Christopher Konig – At Large Member	Christina Laird – At Large Member	Eric Larson – At Large Member
Preston McDonald – At Large Member	James Wright – Co-Chair	Norman Tomaka – Past Chair
Theresa Tolle – FPPC Treasurer	Michael Jackson – FPA EVP	Claudia Davant – FPA Lobbyist
Rebecca Roman – FPA Lobbyist	Dave Ericks – FPA Lobbyist	TJ Morton – FPA Legal Council

2017 – 2018 Advocacy Plan

The above members of the FPA Government Affairs Committee met in Orlando last August to review legislative activity for the past several years and also policy statements adopted by the FPA House of Delegates. Their work resulted in the adoption and recommendation to the Board of Directors the following list of issues:

High Priority

- MAC Transparency Law Enforcement
- PBM Transparency
- Amending Collaborative Practice Agreements

Advocate if Opportunity Presented

- PBM Enrollment Standards
- Revisions to current laws requiring the 3 hour CE from an exclusive provider
- Pharmacist administration of narcotic antagonists

Monitor

- Continuing of maintenance medication therapy
- Requirement for consultant pharmacist reviews in ALF's, surgery centers etc
- Equality of pharmacists
- Florida pharmacist dispensing of oral contraceptive medications without a prescription
- Pharmacist prescribing authority for prescription drug delivery aids, devices or accessories

The FPA Board of Directors received the recommendations from the FPA GAC and with further discussion recognized that there is an issue with gag clauses in PBM contracts and possible introduction of issues related to telemedicine that may affect the practice of pharmacy. The Board adopted the recommendations of the GAC as well as supported legislation that addresses gag clause contract issues. The Board also delegated to the Presidents Committee to address any policy making surrounding telepharmacy. The FPA GAC under chair Aneesh Lakhani met weekly during the 2018 session to receive an update on the status of bill progress. Updates were also posted regularly in the FPA's social media sites as well as in Stat News that is emailed to members.

What was the legislative landscape for 2018?

This year we saw 989 bills that were filed in the Senate with 2,203 bills filed in the House. There were 135 bills that passed the Senate and 327 bills that were adopted by the Florida House. This means of the 3,192 bills that were filed 462 were adopted at least in the House or Senate. In order for legislation to get to the Governor's



FPA Past President Theresa Tolle comments on PBM issues before the House Health Innovations Subcommittee

desk both the House and Senate must approve bill content. Only 200 bills passed both the House and Senate which means that only about 6% of all the bills filed made it to the finished line. Last year 8% of the bills filed were sent to the Governor so this year's productivity by the House and Senate was worse. Let's exam what issues were addressed during this session.

PHARMACY BILLS THAT PASSED

Regulation of PBMs

House bill 351 was sponsored by Representative David Santiago (Rep – Deltona) and supported by the Florida Pharmacy Association. Florida laws currently include a regulatory framework over pharmacy benefit managers under the Board of Pharmacy however it was made clear to us that there was no enforcement mechanism in place. Early in the session the FPA was successful in

advocating for a workshop before the House Health Innovations Subcommittee on PBMs. FPA Past President and current FPPC Treasurer Theresa Tolle provided valuable comment before the committee on PBM issues. Also providing comment before the committee were FPA member's James Wright, Preston McDonald and Aneesh Lakhani. HB351 made a number of revisions to address PBM issues including the following:

- Moves regulation of pharmacy benefit managers (PBMs) away from the Board of Pharmacy and into the Office of Insurance Regulation (OIR)
- Requires pharmacists to inform a patient if the cash price is lower than a patient's coinsurance
- Plan contracts with PBMs must not allow PBMs to interfere with pharmacist obligation to disclose lower cost options (gag clause protection for pharmacies)
- Plan contracts with PBMs must not allow PBMs to require patients to pay more than the lesser of
 - Applicable cost share amount or
 - The retail price of the drug in absence of prescription drug coverage
- Defines what a maximum allowable cost (MAC) is under OIR
- Defines what a PBM is under OIR
- MAC lists must be updated every 7 days
- Must register (and renew) with the OIR instead of BOP
- Registration fee not to exceed \$500
- Must be a process for eliminating drugs from MAC list or modifying MAC costs or drug products if unavailable

Original version of the bill (HB351) would have required plans to prohibit their contracted PBMs from forcing patients to use a pharmacy that the PBM has an ownership interest in. There was also an appeals process in the original bill that was removed by the legislature from the original bill. Also included in the original bill was language that would have subjected the PBMs to the Florida Deceptive Unfair Trades Practices Act. This was removed from the bill as well. While many of these provisions were removed from HB351 the legislature is beginning to take notice to PBM issues and we are told that there are plans to bring other items to the table during the 2019 session. HB351 was approved by both the House and Senate and as of the publishing date of this message is headed to the governor's desk for his signature.

WHAT DOES THIS MEAN FOR PHARMACISTS AND PHARMACIES?

The original law was placed in the pharmacy practice act but that law gave no enforcement authority to the Board. There was no mechanism to discipline or take action against a PBM. This change in law now gives the Office of Insurance regulation that already has oversight over insurance plans additional jurisdiction of a PBM. It also stops practices where PBMs have sanctioned pharmacies for disclosing lower cost alternatives of prescription drug therapy to patients. Pharmacists will have a new obligation to disclose to patients the cost savings when

there is an option to pay retail for their prescriptions or to pay their coinsurance. Pharmacies may have to document that this information was provided to patients.

Controlled Substance Prescribing

HB21 filed by Representative Jim Boyd (Rep – Bradenton) implemented a number of measures for the prescribing of controlled substances in Florida. Recent news reports have highlighted a continuing problem with opioid deaths in this country. In Florida fentanyl caused 1,390 deaths, oxycodone caused 723 deaths and hydrocodone caused 245 deaths in 2016. In 2017 Governor Scott declared a state of emergency on this issue giving rise to the language in this bill which became a priority of the Florida legislature. HB21 once signed by Governor Scott would:

- Define “acute pain” as the normal, predicted, physiological and time-limited response to an adverse chemical, thermal or mechanical stimulus associated with surgery, trauma, or acute illness
- “Acute Pain” would not include pain related to cancer, a terminal condition, palliative care or trauma injury with an injury severity score of 9 or higher
- Creates a controlled substance CE requirement for prescribers
- CE can only be provided by the Florida Medical Association
- Licensing Board must not allow a licensee missing the CE to renew
- The CE must be 2 hours and can be included in the hours required per biennial period
- Requires the Department of Health to adopt rules on the standards for treating acute pain
- Limits prescribing of C-II opioid drugs for acute pain to 3 days
- Continues to allow dispensing practitioners to dispense opioids for surgical procedures but clarifies that such dispensing is limited to 3 or 7 day supply
- The bill allows for the prescribing up to a 7 day opioid supply if noted “ACUTE PAIN EXCEPTION” on the Rx¹
- Requires documentation in patient’s medical record
- Patients that are being treated for nonacute pain have noted on their prescriptions “NONACUTE PAIN” on prescriptions for C-II opioids
- Prescriber must issue a prescription for opioid antagonist for trauma patients with an injury severity score of 9 or higher when prescribing a C-II opioid
- Continues to require verification of patients government issued ID by both pharmacists and dispensing practitioners
- If proper ID is not available the pharmacist can validate the prescription and the patient’s identity with the prescriber or the prescriber’s agent
- Adjudication of health plan eligibility is considered proper identification

¹ The original language in the bill required that the prescriber note “MEDICALLY NECESSARY” on the prescription which was a conflict with current Florida laws on generic interchange. The FPA advocated for a change to “ACUTE PAIN EXCEPTION” to avoid confusion.

- Identification requirement not required for patients in an institutional or long term care setting.
- Tightens exemptions for pain clinic registrations
- Creates requirement to query the PDMP database or document a reason why not
- Requirement to query the PDMP
 - Not applicable to patients under the age of 16
 - Not applicable for prescribing or dispensing of Schedule V nonopioid controlled substances
 - Not applicable if the system is down or a temporary electrical failure
- If the PDMP is not checked the prescriber is limited to prescribing or dispensing a 3 day supply
- A person who willfully and knowingly fails to report dispensed data to the PDMP commits a misdemeanor of the first degree
- Failure to query the PDMP may result in citation
- Allows for PDMP data sharing with other states
- Allows for interconnectivity with prescribing and dispensing systems
- Adds Schedule V drugs that have to be reported to PDMP
- Adds or revise certain drugs in the scheduling of CS
- Clarifies that CS prescriptions can be electronically prescribed
- New data information to be reported to PDMP
 - Phone # of patient
 - Note whether new Rx or refill Rx (include # of refills ordered)
 - Name of person picking up Rx
 - Type and issuer of ID provided
- Penalties for providing a medically unnecessary controlled substance to a patient by fraud, misrepresentation or other deception is now a second degree felony
- Second degree felony is punishable by \$10,000 fine and 15 years in prison
- Possessing tableting and encapsulating machines to make controlled substances are prohibited unless you are a pharmacist or pharmacy²

WHAT DOES THIS MEAN FOR PHARMACISTS AND PHARMACIES?

Pharmacists will be required by law to consult the PDMP system and review the patients history before dispensing any controlled substances with the exception of patients under the age of 16 and also non opioid schedule V drugs. This requirement does not apply if the PDMP is nonoperational or cannot be accessed by the pharmacy due to technological or electrical failure. If the pharmacist does not consult the PDMP there needs to be documentation in the patient's prescription record the reason why. If the PDMP is not consulted then the pharmacist must not dispense greater than a 3 day supply. Patients being treated with prescribed medications for

² The FPA worked to make sure that pharmacies were exempt from penalties for tableting and encapsulating machines.

acute pain for opioid C-II prescription medications for greater than a 3 day supply (but not more than a 7 day supply) must have the words “ACUTE PAIN EXCEPTION” on the prescription. Patients that are being treated for pain other than acute pain must have noted on the prescription “NONACUTE PAIN” for opioid Schedule II drugs. Patients that are being treated for trauma with a pain severity index of 9 or greater will receive a narcotic antagonist however HB21 is silent on whether there is an obligation for a pharmacist to fill such prescriptions.

There is also new information required for pharmacies to report to the prescription drug monitoring program. This new information includes, the phone # of the patient, whether the drug being dispensed is a new prescription or is a refill and also the name of person picking up the prescription. Pharmacies may also have the ability to query the PDMP databases of other states when this law takes effect and the connections are made. Pharmacies will also notice changes in the PDMP database provider along with enhancements that will allow for integration of the PDMP system to pharmacy dispensing software.

New Institutional Class III Pharmacy Permit

HB675 sponsored by Representative Jason Brodeur (Rep – Sanford) was filed that created a new class III pharmacy permit. This new class III permit is a modifier of an existing institutional pharmacy permit. This new class III permit is designed for hospital affiliated institutional pharmacies including central distribution facilities that provide the same services authorized by a class II permit. The bill exempts class III permit holders from having to obtain additional permits from the Department of Business and Professional Regulations to distribute medicinal drugs or repackaged drug products between entities under common control. This bill also exempts hospitals that participate in the 340B drug discount program from having to obtain a restricted prescription drug distributor permit when arranging for a prescription drug wholesale distributor to provide prescription drugs covered under the 340B program to their contracted pharmacies. There is also a provision in HB675 that allows the Governor to appoint a pharmacist currently engaged in the practice of pharmacy in a class III institutional pharmacy to the Florida Board of Pharmacy.

WHAT DOES THIS MEAN FOR PHARMACISTS AND PHARMACIES?

This bill will eliminate the need for class II institutional pharmacies from having to obtain additional permits from the Department of Business and Professional Regulation and is an attempt at deregulation. The bill also allows pharmacists working in these permits to be eligible for a seat on the Board of Pharmacy. The bill does not increase the number of pharmacists on the Board.

PHARMACY BILLS THAT DIED OR WERE WITHDRAWN

There were no less than 33 different pieces of legislation that was filed this year that got the attention of FPA advocates. Some were directly related to pharmacist and pharmacy services while others had the potential to have some impact on our industry. On occasion there will be a

bill filed that is so disliked by our members it could distract us from our proactive agenda to press for changes beneficial to Florida consumers and the profession of pharmacy. Our members need to be reminded that the majority of proposed legislation introduced rarely get underneath the Governor's pen. If you review the vast list of bills and their final disposition you will see that a large number never even got a chance for a hearing. For the most part bills that were the priority of the senior leadership of the House and Senate generally are given a fair opportunity for a hearing. Below are the key bills that we were monitoring that did not pass the 2018 legislative session. We are sharing this information with you as in many cases these proposals or a similar format is reintroduced during future legislative sessions.

Remote Dispensing Legislation

SB848 and HB679 were filed to create a change in the pharmacy practice act that would allow for a facility to be operated by pharmacy technicians and remotely supervised by a Florida licensed pharmacist off site. Language in these bills if adopted by the legislature would have;

- Created a new pharmacy permit for remote dispensing
- Included in the term remote dispensing as a location where prescription drugs are compounded or dispensed by a registered technician who is supervised electronically by an offsite pharmacist
- Allowed for a remote dispensing pharmacy to operate without a pharmacist being present
- Allowed a registered pharmacy technician to compound and dispense medicinal drugs if supervised electronically
- Removed violations and penalties for anyone who operates a remote dispensing pharmacy and a pharmacist is not present
- Removed violations and penalties for anyone who is working as a registered technician in a remote dispensing pharmacy and a pharmacist is not present

This legislation was not supported by the Florida Pharmacy Association. House and Senate sponsors applied several amendments to the bills at our request however the proposals were still considered problematic. Ultimately the time ran out and the bills were never fully adopted.

Pharmacist Collaborative Practice

SB914 sponsored by Senator Rene Garcia (Rep – Hialeah) and H689 sponsored by Representative Cord Byrd were filed to clarify enhanced services that could be provided by Florida licensed consultant pharmacists. A collaborative practice agreement (CPA) is between a doctor and a pharmacist who work within the context of a defined protocol that specifies what function of patient care a prescribing physician delegates to a pharmacist.

Under the proposed legislation, a CPA would have:

- Allowed pharmacists to monitor medication therapy and patient outcomes

- Defined a pathway for pharmacist provided patient assessments, initiate, modify, or discontinue medications
- Allowed pharmacists to administer medications in any health care facility, including a pharmacy
- Included a feedback loop that ensures the pharmacist updates and notifies the physician any time action is taken with a patient

This FPA supported legislation passed all House committees and adopted by the Florida House on a 113 to 0 vote however the Senate version never got a hearing in its first committee and will not be signed by the Governor.

Pharmacist Testing and Treating of Influenza and Streptococcus

SB524 sponsored by Senator Brandes and HB431 sponsored by Representative Plasencia was filed to allow pharmacists to test patients and treat them for influenza and streptococcus infections under a written protocol agreement with a Florida licensed practitioner. The bill was referred to three committees in the House and the FPA was successful in getting one committee reference removed to get it to the House floor faster. Unfortunately the bill was never heard in the final House Committee and did not get an opportunity to get a fair hearing in the Senate. These bills were filed to help expedite therapy for patients during what the FPA found was a very active flu season. These bills could have helped patients get needed care from their community pharmacy rather than having to visit already crowded emergency rooms of hospitals.

Expansion of the Cancer Drug Donation Program

SB710 and HB291 were filed to expand the current cancer drug donation program. The Drugs, Devices and Cosmetics division of the Florida Department of Business and Professional Regulation oversees a program that allows for the issuing of donated previously dispensed cancer drugs. These bills were filed in an attempt to expand the program to all prescription drugs. The bill passed the Senate but only passed one committee in the House.

Proposed Revisions to Pharmacist Dispensing Requirements

SB1372 and House bill 605 were filed to prohibit a pharmacist from dispensing certain opioid drugs unless the container includes a special sticker approved by the Department of Health. This bill also would have required pharmacies to offer for sale to consumers a special prescription drug lock box and include signage indicating that these lock boxes are available in the pharmacy. The Department of Health would have been required to develop a written pamphlet that includes public awareness educational information on controlled substances. If the Department of Health were to provide these pamphlets and make them available to pharmacies then there would be a requirement to offer them to consumers at no charge. Both bills died in committees.

Pharmacist Collaborative Practice

SB714 and HB143 were filed to prohibit health plans from restricting a patient’s choice of provider. These bills would have allowed any provider who is willing to accept the terms and conditions of a contract to participate in networks. This is similar legislation that we have seen filed over the past several sessions. Neither of these bills had an opportunity for a hearing and will not get to the governor for signature.

Mandatory Mail Order Restrictions

SB492 by Senator Rene Garcia (Rep – Hialeah) and HB289 by Representative Holly Raschein (Rep – Key Largo) was filed to prohibit health plans from requiring mandatory mail order for patients being treated for HIV infections, epilepsy, hypertension or diabetes. The Senate version was found favorable by the Banking and Insurance Committee and also the Senate Committee on Health Policy but advanced no further. The House version was amended in the House Health Innovations Committee in January that limited the bill to just patients being treated for HIV. The bill was never heard in any other committees. This legislation was similar to bills filed during the 2017 session. These bills died in committee and will not get to the Governor for his signature.

Consumer Protection from Nonmedical Changes to Prescription Drug Formularies

Legislation was filed during this session that mimicked similar bills during the 2017 session that dealt with PBM formulary switching. SB360 and HB229 were filed to prohibit changes to prescription drug policy formularies with some exceptions. Last year the Senate version of this bill passed however the House version managed to get only past one committee. This year neither bill got a single hearing in committee and will not be presented to the Governor for signature.

Department of Health Changes and Automated Dispensing

House bill 1047 sponsored by Representative Julio Gonzalez (Rep – Venice) to address some policy changes recommended by the Department of Health. On February 20th the bill’s sponsor added to the bill a late filed amendment related to pharmacy. The bill was originally about 60 pages long and with the delete-everything amendment the proposed legislation grew to almost 90 pages. His amendment added a lot of concerning language for an array of practitioners, including pharmacists. The bill would have allowed automated dispensing machines for outpatient use. While this amendment couldn’t be stopped in the House, we worked with the sponsor of the Senate companion, Senator Grimsley, to ensure she would refuse to take that language. In the end, HB1047 died before passage.

Comprehensive Bill List

Sorted by Bill Number		
SB 8	Controlled Substances	Benacquisto

Controlled Substances; Prohibiting managed care plans and their fiscal agents or intermediaries from imposing certain requirements or conditions on recipients as a prerequisite to receiving medication-assisted treatment (MAT) services to treat substance abuse disorders; authorizing certain boards to require practitioners to complete a specified board-approved continuing education course to obtain authorization to prescribe controlled substances as part of biennial license renewal; authorizing disciplinary action against practitioners for violating specified provisions relating to controlled substances; prohibiting the dispensing of certain controlled substances in an amount that exceeds a 3-day supply or a medically necessary 7-day supply if certain criteria are met, etc. APPROPRIATION: \$53,555,360.00 Effective Date: Except as otherwise expressly provided in this act, this act shall take effect July 1, 2018

3/2/2018 SENATE Placed on Special Order Calendar, 03/06/2018

3/6/2018 SENATE Retained on Special Order Calendar

3/7/2018 SENATE Read Second Time; Amendments Withdrawn (361394, 346902); Substituted for HB 0021; Laid on Table, Refer to HB 0021

[HB 21](#)

Controlled Substances

Boyd

Controlled Substances: Requires practitioners to complete specified board-approved continuing education course to prescribe controlled substances; defines "acute pain"; provides for adoption of standards of practice for treatment of acute pain; limits prescribing of opioids for acute pain in certain circumstances; requires pain management clinic owners to register approved exemptions with DOH; provides requirements for pharmacists & practitioners for dispensing of controlled substances to persons not known to them; conforms state controlled substances schedule to federal controlled substances schedule; revises requirements for prescription drug monitoring program. Effective Date: July 1, 2018

3/13/2018 HOUSE Engrossed Text (E1) Filed

3/13/2018 HOUSE Enrolled Text (ER) Filed

3/14/2018 Signed by Officers and presented to Governor (Governor must act on this bill by 03/29/18)

[HB 23](#)

Recovery Care Services

Renner

Recovery Care Services: Includes recovery care centers as facilities licensed under ch. 395, F.S.; authorizes AHCA to establish separate standards for recovery care centers; provides applicability of Florida Building Code; provides applicability of licensure requirements. Effective Date: July 1, 2018

1/30/2018 SENATE Received; Referred to Health Policy; Appropriations Subcommittee on Health and Human Services; Appropriations

3/10/2018 SENATE Indefinitely postponed and withdrawn from consideration

3/10/2018 SENATE Died in Health Policy

[HB 29](#)

Military and Veterans Affairs

Ponder

Military and Veterans Affairs: Citing this act as the "Don Hahnfeldt Veteran and Military Family Opportunity Act"; revising licensure eligibility requirements; requiring the Department of Agriculture and Consumer Services to waive certain fees; authorizing the

licensing authority to recognize certain military-issued credentials for purposes of licensure; designating March 25 of each year as "Medal of Honor Day"; requiring the State Board of Education to issue a temporary certificate in educational leadership to certain persons, etc. Effective Date: July 1, 2018

3/5/2018 HOUSE Enrolled Text (ER) Filed

3/9/2018 Signed by Officers and presented to Governor (Governor must act on this bill by 03/24/18)

3/13/2018 Approved by Governor; Chapter No. 2018-007

[HB 35](#)

Patient Safety Culture Surveys

Grant (M)

Patient Safety Culture Surveys: Requires AHCA to develop surveys to assess patient safety culture in certain health care facilities; requires submission of patient safety culture survey data as condition of licensure; provides appropriation. APPROPRIATION: \$352,919.00 Effective Date: July 1, 2018

1/30/2018 SENATE Received; Referred to Health Policy; Appropriations Subcommittee on Health and Human Services; Appropriations

3/10/2018 SENATE Indefinitely postponed and withdrawn from consideration

3/10/2018 SENATE Died in Health Policy

[HB 37](#)

Direct Primary Care Agreements

Burgess

Direct Primary Care Agreements: Specifies that direct primary care agreement does not constitute insurance & provides requirements for such agreement. Effective Date: July 1, 2018

3/8/2018 SENATE Read Third Time; Passed (Vote: 38 Yeas / 0 Nays)

3/8/2018 HOUSE Ordered enrolled

3/8/2018 HOUSE Enrolled Text (ER) Filed

[SB 80](#)

Direct Primary Care Agreements

Lee (T)

Direct Primary Care Agreements; Specifying that a direct primary care agreement does not constitute insurance and is not subject to the Florida Insurance Code; specifying that entering into a direct primary care agreement does not constitute the business of insurance and is not subject to the code, etc. Effective Date: 7/1/2018

2/28/2018 SENATE Placed on Calendar, on 2nd reading

3/5/2018 SENATE Placed on Special Order Calendar, 03/07/18

3/7/2018 SENATE Read Second Time; Substituted for HB 0037; Laid on Table, Refer to HB 0037

[SB 82](#)

Alternative Treatment Options for Veterans

Steube

Alternative Treatment Options for Veterans; Authorizing the Department of Veterans' Affairs to contract with certain individuals and entities to provide alternative treatment

options for certain veterans; requiring direction and supervision by certain licensed providers, etc. Effective Date: 7/1/2018

8/28/2017 SENATE Referred to Banking and Insurance; Military and Veterans Affairs, Space, and Domestic Security; Appropriations Subcommittee on Health and Human Services; Appropriations

3/10/201 SENATE Indefinitely postponed and withdrawn from consideration

3/10/2018 SENATE Died in Banking and Insurance

SB 98

Health Insurer Authorization

Steube

Health Insurer Authorization; Prohibiting prior authorization forms from requiring certain information; requiring health insurers and pharmacy benefits managers on behalf of health insurers to provide certain information relating to prior authorization by specified means; requiring health insurers to publish on their websites and provide to insureds in writing a procedure for insureds and health care providers to request protocol exceptions, etc. Effective Date: 1/1/2019

2/1/2018 HOUSE In Messages

3/10/201 HOUSE Indefinitely postponed and withdrawn from consideration

3/10/2018 HOUSE Died in Messages

HB 101

Assault or Battery on Health Care Providers

Baez

Assault or Battery on Health Care Providers: Provides for reclassification of certain assault & battery offenses committed on health care providers. Effective Date: October 1, 2018

9/6/2017 HOUSE Now in Criminal Justice Subcommittee

10/12/2017HOUSE Withdrawn prior to introduction

1/25/2018 Bill to be Discussed During the Office of EDR's Criminal Justice Impact Conference, 01/29/18, 3:00 pm, 117 K (No Votes Will Be Taken)

HB 143

Patient's Choice of Providers

Massullo, Jr.

Patient's Choice of Providers: Prohibits health insurer from excluding willing & qualified health care provider from participating in health insurer's provider network under certain circumstances. Effective Date: July 1, 2018

9/19/2017 HOUSE Now in Health Innovation Subcommittee

3/10/201 HOUSE Indefinitely postponed and withdrawn from consideration

3/10/2018 HOUSE Died in Health Innovation Subcommittee

SB 162

Payment of Health Care Claims

Steube

Payment of Health Care Claims; Prohibiting a health insurer or a health maintenance organization from retroactively denying a claim under specified circumstances, etc. Effective Date: 7/1/2018

3/3/2018 HOUSE In Messages

3/10/201 HOUSE Indefinitely postponed and withdrawn from consideration

3/10/2018 HOUSE Died in Messages

[HB 177](#)

State Group Health Insurance and Prescription Drug Programs

Magar

State Group Health Insurance and Prescription Drug Programs: Expands eligibility for participation in state group health insurance program & prescription drug coverage program to include water management districts; requires DMS to conduct actuarial analysis to establish premiums. Effective Date: July 1, 2018

10/3/2017 HOUSE Now in Appropriations Committee

3/10/201 HOUSE Indefinitely postponed and withdrawn from consideration

3/10/2018 HOUSE Died in Appropriations Committee

[HB 199](#)

Step Therapy Protocols

Harrison

Step Therapy Protocols: Defines "step therapy"; prohibits health insurers & health maintenance organizations from requiring insureds or subscribers to repeat step therapy protocols; provides that certain health insurers & health maintenance organizations may impose specified requirement for continued coverage; provides that such entities are not required to take specified actions. Effective Date: July 1, 2018

2/5/2018 HOUSE Now in Health & Human Services Committee

3/10/201 HOUSE Indefinitely postponed and withdrawn from consideration

3/10/2018 HOUSE Died in Health & Human Services Committee

[HB 213](#)

Licensure of Nurse Registries

Stone

Licensure of Nurse Registries: Revises provisions authorizing AHCA to impose penalties & fines for failure to cease operation of an unlicensed nurse registry; deletes provisions authorizing agency to deny, suspend, or revoke nurse registry license & impose fines for paying remuneration for patient referrals. Effective Date: July 1, 2018

10/12/2017HOUSE Now in Health Innovation Subcommittee

10/16/2017HOUSE Withdrawn from Health Innovation Subcommittee; Health Care Appropriations Subcommittee; Health and Human Services Committee

10/16/2017HOUSE Withdrawn prior to introduction

[HB 229](#)

Consumer Protection from Nonmedical Changes to Prescription Drug Formularies

Massullo, Jr.

Consumer Protection from Nonmedical Changes to Prescription Drug Formularies: Limits changes to health insurance policies' prescription drug formulary during policy year; requires small employer carriers to limit changes to prescription drug formularies. Effective Date: January 1, 2019

10/12/2017HOUSE Now in Health Innovation Subcommittee

3/10/201 HOUSE Indefinitely postponed and withdrawn from consideration

3/10/2018 HOUSE Died in Health Innovation Subcommittee

[HB 257](#)

State Group Health Insurance and Prescription Drug Programs

Porter

State Group Health Insurance and Prescription Drug Programs: Expands eligibility for participation in state group health insurance program & prescription drug coverage program to include Florida College System institutions; requires DMS to conduct actuarial analysis to establish premiums. Effective Date: July 1, 2018

10/18/2017HOUSE Referred to Appropriations Committee; Health & Human Services Committee

10/18/2017HOUSE Now in Appropriations Committee

11/8/2017 HOUSE Withdrawn prior to introduction

[SB 280](#)

Telehealth

Bean

Telehealth; Establishing the standard of care for telehealth providers; providing that telehealth providers, under certain circumstances, are not required to research a patient's history or conduct physical examinations before providing services through telehealth; providing recordkeeping requirements for telehealth providers, etc. Effective Date: 7/1/2018

3/2/2018 HOUSE In Messages

3/10/201 HOUSE Indefinitely postponed and withdrawn from consideration

3/10/2018 HOUSE Died in Messages

[HB 285](#)

Emergency Medical Services

Pigman

Emergency Medical Services: Exempts certain governmental entities from requirement to obtain certificate of public convenience & necessity to provide advanced life support nontransport services under specified conditions. Effective Date: July 1, 2018

10/18/2017HOUSE Referred to Health Quality Subcommittee; Local, Federal & Veterans Affairs Subcommittee; Health & Human Services Committee

10/18/2017HOUSE Now in Health Quality Subcommittee

3/10/2018 HOUSE Died in Health Quality Subcommittee

[HB 289](#)

Provision of Pharmaceutical Services

Raschein

Provision of Pharmaceutical Services: Prohibits certain insurers & HMOs from requiring insured to obtain prescription drug for treatment of chronic illness, except for excluded drugs, exclusively from mail order pharmacy & from imposing copayments or certain conditions on insured who elects to obtain certain drugs from retail pharmacy if certain requirements are met; requires disclosure that an insured may obtain certain

prescription drugs, except excluded drugs, from retail pharmacy. Effective Date: July 1, 2018

1/12/2018 HOUSE Committee Substitute Text (C1) Filed

1/16/2018 HOUSE Now in Insurance & Banking Subcommittee

3/10/2018 HOUSE Died in Insurance & Banking Subcommittee

[HB 291](#)

Prescription Drug Donation Repository Program

Yarborough

Prescription Drug Donation Repository Program: Creates Prescription Drug Donation Repository Program within DOH; provides criteria & conditions for donation of prescription drugs & supplies from certain authorized entities for dispensing to eligible patients. Effective Date: July 1, 2018

2/5/2018 HOUSE Reference to Health Care Appropriations Subcommittee added; Remaining references: Health Care Appropriations Subcommittee; Health & Human Services Committee

2/5/2018 HOUSE Now in Health Care Appropriations Subcommittee

3/10/2018 HOUSE Died in Health Care Appropriations Subcommittee

[HB 313](#)

Access to Health Care Practitioner Services

Grant (M)

Access to Health Care Practitioner Services: Exempts physicians & osteopathic physicians who provide certain number of hours of pro bono services from continuing education requirements; revises eligibility criteria for restricted license; establishes registration program for volunteer retired physicians & osteopathic physicians; authorizes Board of Medicine & Board of Osteopathic Medicine to deny, revoke, or impose restrictions or conditions on registration for certain violations; revises licensure criteria applicable to Canadian applicants. Effective Date: July 1, 2018

2/8/2018 SENATE Received; Referred to Health Policy; Appropriations Subcommittee on Health and Human Services; Appropriations

3/10/201 SENATE Indefinitely postponed and withdrawn from consideration

3/10/2018 SENATE Died in Health Policy

[HB 351](#)

Prescription Drug Pricing Transparency

Santiago

Prescription Drug Pricing Transparency: Requires pharmacists to inform customers of certain generically equivalent drug products & whether cost-sharing obligations to such customers exceed retail price of prescription; requires registration with OIR; provides registration requirements; requires registrant to report certain changes by specified date; requires office to issue registration certificate upon receipt of completed registration form; provides for expiration; requires rulemaking; requires certain terms in health insurer or health maintenance organization contracts with pharmacy benefit managers. Effective Date: July 1, 2018

3/8/2018 SENATE Read Third Time; Passed (Vote: 37 Yeas / 0 Nays)

3/8/2018 HOUSE Ordered enrolled

3/8/2018 HOUSE Enrolled Text (ER) Filed

<u>SB 360</u>	Consumer Protection from Nonmedical Changes to Prescription Drug Formularies	Mayfield
<p>Consumer Protection from Nonmedical Changes to Prescription Drug Formularies; Prohibiting specified changes to certain insurance policy prescription drug formularies, except under certain circumstances; requiring small employer carriers to limit specified changes to prescription drug formularies under certain health benefit plans; prohibiting certain health maintenance organizations from making specified changes to health maintenance contract prescription drug formularies, except under certain circumstances, etc. Effective Date: 1/1/2019</p> <p>10/16/2017 SENATE Referred to Health Policy; Banking and Insurance; Appropriations; Rules</p> <p>3/10/201 SENATE Indefinitely postponed and withdrawn from consideration</p> <p>3/10/2018 SENATE Died in Health Policy</p>		
<u>SB 364</u>	State Group Health Insurance and Prescription Drug Programs	Grimsley
<p>State Group Health Insurance and Prescription Drug Programs; Authorizing a water management district to participate in the state group health insurance program and the prescription drug coverage program upon the affirmative vote of a district's governing board; providing that monthly premium amounts be based on an actuarial analysis conducted by the Department of Management Services; requiring small counties, small municipalities, district school boards, and water management districts participating in the programs to bear the costs of the actuarial analysis, etc. Effective Date: 7/1/2018</p> <p>12/11/2017 SENATE Now in Appropriations</p> <p>3/10/201 SENATE Indefinitely postponed and withdrawn from consideration</p> <p>3/10/2018 SENATE Died in Appropriations</p>		
<u>HB 425</u>	Physician Fee Sharing Task Force	Plasencia
<p>Physician Fee Sharing Task Force: Establishes Physician Fee Sharing Task Force within DOH; provides for duties, membership, & meetings of task force; requires report to Governor & Legislature by specified date; provides for expiration of task force. Effective Date: upon becoming a law</p> <p>2/25/2018 HOUSE Placed on Calendar, on 2nd reading</p> <p>3/10/201 HOUSE Indefinitely postponed and withdrawn from consideration</p> <p>3/10/2018 HOUSE Died on Second Reading Calendar</p>		
<u>HB 431</u>	Testing for and Treatment of Influenza and Streptococcus	Plasencia
<p>Testing for and Treatment of Influenza and Streptococcus: Requires specified licensed pharmacists to report certain information to DOH; authorizes pharmacists to test for & treat influenza & streptococcus; provides requirements with respect thereto; requires that written protocol between pharmacist & supervising physician contain certain</p>		

information, terms, & conditions; requires that pharmacists provide evidence of current certification by Board of Pharmacy to supervising physician; requires that pharmacists submit their written protocols to board. Effective Date: upon becoming a law

1/19/2018 HOUSE Reference to Health Care Appropriations Subcommittee removed;
Remaining reference: Health & Human Services Committee

3/10/201 HOUSE Indefinitely postponed and withdrawn from consideration

3/10/2018 HOUSE Died in Health & Human Services Committee

SB 458

Controlled Substance Prescribing

Bean

Controlled Substance Prescribing; Limiting an initial prescription for a controlled substance that is an opioid to a 7-day supply; providing exceptions to supply limits for certain patients; requiring a health care practitioner who is authorized to prescribe controlled substances to complete a continuing education course as a condition of initial licensure and biennial licensure renewal, etc. Effective Date: 7/1/2018

10/25/2017 SENATE Referred to Health Policy; Appropriations; Rules

3/10/201 SENATE Indefinitely postponed and withdrawn from consideration

3/10/2018 SENATE Died in Health Policy

HB 459

Public Records

Massullo, Jr.

Public Records: Provides that certain information related to agency contracts is not confidential or exempt from public records requirements; removes or revises numerous provisions relating to exemptions from public records requirements for trade secrets. Effective Date: upon becoming a law if CS/CS/HB 461 or similar legislation is adopted in the same legislative session or an extension thereof and becomes law

2/28/2018 SENATE Received; Referred to Governmental Oversight and Accountability;
Appropriations; Rules

3/10/201 SENATE Indefinitely postponed and withdrawn from consideration

3/10/2018 SENATE Died in Governmental Oversight and Accountability

HB 461

Pub. Rec./Trade Secrets Held by an Agency

Massullo, Jr.

Pub. Rec./Trade Secrets Held by an Agency: Provides exemption from public record requirements for trade secret held by agency; provides notice requirements; provides process for responding to public record requests; provides exception to exemption; provides that agency employee is not liable for release of records in compliance with act; provides applicability; provides for future legislative review & repeal of exemption; provides statement of public necessity. Effective Date: on the same date that CS/HB 459 or similar legislation takes effect

2/28/2018 SENATE Received; Referred to Governmental Oversight and Accountability;
Appropriations; Rules

3/10/201 SENATE Indefinitely postponed and withdrawn from consideration

3/10/2018 SENATE Died in Governmental Oversight and Accountability

[SB 474](#)**Physician Orders for Life-sustaining Treatment**

Brandes

Physician Orders for Life-sustaining Treatment; Establishing the Physician Orders for Life-Sustaining Treatment (POLST) Program within the Department of Health; requiring the Agency for Health Care Administration to establish and maintain a database of compassionate and palliative care plans by a specified date; authorizing specified personnel to withhold or withdraw cardiopulmonary resuscitation if presented with a POLST form that contains an order not to resuscitate the patient; requiring the Department of Elderly Affairs, in consultation with the agency, to adopt by rule procedures for the implementation of POLST forms in hospice care, etc. Effective Date: 7/1/2018

2/14/2018 HOUSE Temporarily Postponed by Appropriations Subcommittee on Health and Human Services

3/10/201 SENATE Indefinitely postponed and withdrawn from consideration

3/10/2018 SENATE Died in Appropriations Subcommittee on Health and Human Services

[SB 490](#)**Health Care Providers**

Rouson

Health Care Providers; Providing for offense reclassification if a person is charged with knowingly committing an assault or a battery upon a health care provider, etc. Effective Date: 10/1/2018

10/10/2017 SENATE Filed

10/13/2017 SENATE Withdrawn prior to introduction

[SB 492](#)**Provision of Pharmaceutical Services**

Garcia

Provision of Pharmaceutical Services; Prohibiting certain health insurance policies and health maintenance contracts from requiring insureds and subscribers to obtain certain prescription drugs exclusively from mail order pharmacies for the treatment of specified chronic illnesses; requiring certain health maintenance organizations to include specified disclosures in their outlines of coverage regarding such prescription drugs, etc. Effective Date: 1/1/2019

1/30/2018 SENATE Now in Appropriations

3/10/201 SENATE Indefinitely postponed and withdrawn from consideration

3/10/2018 SENATE Died in Appropriations

[HB 513](#)**Distributing Pharmaceutical Drugs and Devices**

Rommel

Distributing Pharmaceutical Drugs and Devices: Revises an exception to pharmacy regulations for certain manufacturers & distributors of dialysis drugs or supplies. Effective Date: July 1, 2018

3/7/2018 HOUSE Ordered enrolled

3/7/2018 HOUSE Enrolled Text (ER) Filed

3/14/2018 Signed by Officers and presented to Governor (Governor must act on this bill by 03/29/18)

HB 517	State Employees' Prescription Drug Program	Magar
	State Employees' Prescription Drug Program: Requires DMS to implement formulary management cost-saving measures; provides requirements for such measures; removes provision that prohibits department from implementing restricted prescription drug formulary or prior authorization program in state employees' prescription drug program. Effective Date: July 1, 2018	
	2/15/2018 SENATE Received; Referred to Health Policy; Appropriations Subcommittee on General Government; Appropriations	
	3/10/201 SENATE Indefinitely postponed and withdrawn from consideration	
	3/10/2018 SENATE Died in Health Policy	
SB 518	Motor Vehicle Insurance Coverage Exclusions	Bean
	Motor Vehicle Insurance Coverage Exclusions; Providing that private passenger motor vehicle policies may exclude certain identified individuals from specified coverages under certain circumstances; providing that such policies may not exclude coverage under certain circumstances, etc. Effective Date: 7/1/2018	
	1/16/2018 SENATE Temporarily Postponed by Banking and Insurance	
	1/18/2018 SENATE On Committee agenda - Banking and Insurance, 01/23/18, 3:30 pm, 110 S	
	1/23/2018 SENATE Unfavorable by Banking and Insurance, laid on Table; 4 Yeas, 5 Nays	
SB 520	Optometry	Young
	Optometry; Requiring an applicant for licensure as an optometrist to submit proof to the Department of Health that she or he meets certain requirements; providing that an applicant must pass the licensure examination within a specified timeframe as a condition of licensure as an optometrist and certification to administer and prescribe ocular pharmaceutical agents, etc. Effective Date: Upon becoming a law	
	3/1/2018 SENATE Placed on Calendar, on 2nd reading	
	3/1/2018 SENATE Placed on Special Order Calendar, 03/02/18	
	3/2/2018 SENATE Read Second Time; Substituted for HB 7059; Laid on Table, Refer to HB 7059	
SB 524	Influenza Virus and Streptococcal Infections	Brandes
	Influenza Virus and Streptococcal Infections; Requiring a pharmacist testing for and treating the influenza virus and streptococcal infections to maintain patient records using certain standards and for a specified time; requiring a pharmacist seeking to test for and treat the influenza virus and streptococcal infections to obtain certification through a	

certification program approved by the Board of Pharmacy in consultation with the Board of Medicine and the Board of Osteopathic Medicine, etc. Effective Date: 7/1/2018

2/6/2018 SENATE Temporarily Postponed by Health Policy

3/10/201 SENATE Indefinitely postponed and withdrawn from consideration

3/10/2018 SENATE Died in Health Policy

[SB 528](#)

Health Insurance Coverage for Enteral Formulas

Stargel

Health Insurance Coverage for Enteral Formulas; Revising criteria for the required coverage of enteral formulas under specified health insurance policies; requiring the state group insurance program to provide coverage for certain enteral formulas and amino-acid-based elemental formulas; specifying a limitation of such coverage by the state group insurance program, etc. Effective Date: 1/1/2019

10/26/2017 SENATE Referred to Banking and Insurance; Appropriations Subcommittee on General Government; Appropriations

3/10/201 SENATE Indefinitely postponed and withdrawn from consideration

3/10/2018 SENATE Died in Banking and Insurance

[SB 534](#)

Regulation of Pharmacy Benefits Managers

Grimsley

Regulation of Pharmacy Benefits Managers; Redefining the term "administrator" to include pharmacy benefits managers, etc. Effective Date: 7/1/2018

10/26/2017 SENATE Referred to Health Policy; Banking and Insurance; Appropriations

3/10/201 SENATE Indefinitely postponed and withdrawn from consideration

3/10/2018 SENATE Died in Health Policy

[SB 552](#)

Health Benefit Coverage for Prescription Eye Drop Refills

Stewart

Health Benefit Coverage for Prescription Eye Drop Refills; Requiring health insurance policies providing coverage for certain prescription eye drops to provide coverage for eye drop prescription refills under certain circumstances; providing applicability of prescription eye drop refill coverage requirements to group health insurance, blanket health insurance, and franchise health insurance, etc. Effective Date: 7/1/2018

10/18/2017 SENATE Filed

10/20/2017 SENATE Withdrawn prior to introduction

[HB 557](#)

Marriage and Family Therapists

Mercado

Marriage and Family Therapists: Provides equivalent educational requirements for licensure by examination; removes certain education requirements for licensure or certification by endorsement. Effective Date: July 1, 2018

11/7/2017 HOUSE Filed

11/13/2017HOUSE Withdrawn prior to introduction

HB 605	Drug Safety	Geller
Drug Safety: Requires warning label meeting certain requirements to be applied to specified opioids dispensed by pharmacists or practitioners; requires pharmacies to offer for sale prescription lock boxes; authorizes DOH to develop & distribute pamphlet. Effective Date: January 1, 2019		
11/15/2017HOUSE Now in Health Quality Subcommittee		
3/10/201 HOUSE Indefinitely postponed and withdrawn from consideration		
3/10/2018 HOUSE Died in Health Quality Subcommittee		
SB 638	Delivery of Nursing Services	Campbell
Delivery of Nursing Services; Creating the "Florida Hospital Patient Protection Act"; requiring that each health care facility implement a staffing plan that provides minimum direct care registered nursing staffing levels; prohibiting a health care facility from assigning unlicensed personnel to perform functions or tasks that are performed by a licensed or registered nurse; requiring that certain information be provided to each patient who is admitted to a health care facility; requiring that the agency post on its website information regarding health care facilities on which civil penalties have been imposed, etc. Effective Date: 7/1/2018		
11/8/2017 SENATE Referred to Health Policy; Appropriations Subcommittee on Health and Human Services; Appropriations		
3/10/201 SENATE Indefinitely postponed and withdrawn from consideration		
3/10/2018 SENATE Died in Health Policy		
HB 675	Pharmacies	Brodeur
Pharmacies: Revises membership of Board of Pharmacy; establishes Class III institutional pharmacies; provides requirements for such pharmacies; revises notice requirements; authorizes distribution of medicinal drugs & prepackaged drug products without specified permit under certain conditions; removes provision exempting certain drug repackagers from specified permit requirements. Effective Date: July 1, 2018		
3/9/2018 SENATE Read Third Time; Passed (Vote: 38 Yeas / 0 Nays)		
3/9/2018 HOUSE Ordered enrolled		
3/9/2018 HOUSE Enrolled Text (ER) Filed		
HB 679	Telepharmacy	Ponder
Telepharmacy: Authorizes registered pharmacy technicians to dispense drugs under certain circumstances; provides permit requirements for remote dispensing site pharmacies; provides requirements & prohibitions for remote dispensing site pharmacies; requires the prescription department manager to visit the remote dispensing site pharmacy; requires work experience for registered pharmacy techs; prohibits registered pharmacy techs to perform certain compounding; authorizes Florida		

licensed pharmacists to be the prescription drug manager at more than one remote dispensing site pharmacy. Effective Date: July 1, 2018

3/2/2018 HOUSE Temporarily Postponed on Second Reading

3/10/201 HOUSE Indefinitely postponed and withdrawn from consideration

3/10/2018 HOUSE Died on Second Reading Calendar

[HB 689](#)

Pharmacy

Byrd

Pharmacy: Provides licensure requirements for & revises responsibilities of consultant pharmacists. Effective Date: July 1, 2018

3/1/2018 SENATE Received; Referred to Health Policy; Regulated Industries; Rules

3/10/201 SENATE Indefinitely postponed and withdrawn from consideration

3/10/2018 SENATE Died in Health Policy

[SB 710](#)

Prescription Drug Donation Repository Program

Book

Prescription Drug Donation Repository Program; Creating the "Prescription Drug Donation Repository Program Act"; authorizing the Department of Health to contract with a third party to implement and administer the program; providing that certain prescription drugs eligible for return to stock must be credited to Medicaid under specified conditions and are not program eligible; authorizing repositories to refuse to accept donations of prescription drugs or supplies, etc. Effective Date: This act shall take effect July 1, 2018

3/2/2018 HOUSE In Messages

3/10/201 HOUSE Indefinitely postponed and withdrawn from consideration

3/10/2018 HOUSE Died in Messages

[SB 714](#)

Patient's Choice of Providers

Baxley

Patient's Choice of Providers; Citing this act as the "Patient's Freedom of Choice of Providers Act"; prohibiting a health insurer from excluding a willing and qualified health care provider from participating in the health insurer's provider network under certain circumstances, etc. Effective Date: 7/1/2018

11/15/2017SENATE Referred to Banking and Insurance; Health Policy; Rules

3/10/201 SENATE Indefinitely postponed and withdrawn from consideration

3/10/2018 SENATE Died in Banking and Insurance

[SB 726](#)

Smoking Marijuana for Medical Use

Farmer

Smoking Marijuana for Medical Use; Redefining terms to authorize the production, processing, transportation, sale, possession, and administration of marijuana in a form for smoking for medical use, etc. Effective Date: 7/1/2018

11/15/2017SENATE Referred to Health Policy; Appropriations; Rules

3/10/201 SENATE Indefinitely postponed and withdrawn from consideration

3/10/2018 SENATE Died in Health Policy

[SB 742](#)

Assault or Battery on Health Care Providers

Grimsley

Assault or Battery on Health Care Providers; Defining the term "health care provider"; providing for the reclassification of certain assault and battery offenses committed on health care providers, etc. Effective Date: 10/1/2018

1/25/2018 Bill to be Discussed During the Office of EDR's Criminal Justice Impact Conference, 01/29/18, 3:00 pm, 117 K (No Votes Will Be Taken)

3/10/201 SENATE Indefinitely postponed and withdrawn from consideration

3/10/2018 SENATE Died in Criminal Justice

[HB 793](#)

Telehealth

Massullo, Jr.

Telehealth: Encourages state group health insurance program to offer health insurance plans that include telehealth coverage; authorizes AHCA to pay for certain telehealth services as optional Medicaid services; defines terms; establishes standard of care for telehealth providers; authorizing use of telehealth to perform patient evaluations; provides that telehealth providers, under certain circumstances, are not required to research patient's history or conduct physical exam before providing services; provides situations when use of telehealth is not deemed to be practicing medicine without a license; authorizes certain providers to use telehealth to prescribe specified controlled substances; provides construction; requires DOH to develop & disseminate educational materials to specified licenses; provides recordkeeping requirements; provides patient consent requirements; encourages certain insurers to include services provided through telehealth under certain conditions. Effective Date: July 1, 2018

12/8/2017 HOUSE Now in Health Quality Subcommittee

3/10/201 HOUSE Indefinitely postponed and withdrawn from consideration

3/10/2018 HOUSE Died in Health Quality Subcommittee

[SB 848](#)

Telepharmacy

Grimsley

Telepharmacy; Providing permit requirements for remote dispensing site pharmacies; requiring the prescription department manager or other pharmacist employed by the supervising pharmacy to visit the remote dispensing site pharmacy; authorizing a Florida licensed pharmacist to serve as the prescription drug manager at more than one remote dispensing site pharmacy under certain conditions, etc. Effective Date: 7/1/2018

3/9/2018 HOUSE In Messages

3/10/201 HOUSE Indefinitely postponed and withdrawn from consideration

3/10/2018 HOUSE Died in Messages

[HB 865](#)

Office of Drug Control

Abruzzo

Office of Drug Control: Creates Office of Drug Control within EOG; provides for appointment of director by Governor, subject to Senate confirmation; requires director to report annually to Governor & Legislature. Effective Date: July 1, 2018

12/13/2017HOUSE Now in Health Quality Subcommittee

3/10/201 HOUSE Indefinitely postponed and withdrawn from consideration

3/10/2018 HOUSE Died in Health Quality Subcommittee

[SB 914](#)

Practice of Pharmacy

Garcia

Practice of Pharmacy; Requiring a pharmacist seeking licensure as a consultant pharmacist to complete additional training as required by the Board of Pharmacy; authorizing a pharmacist who is certified to administer vaccines to adults to perform specified services under certain conditions, etc. Effective Date: 7/1/2018.

12/4/2017 SENATE Referred to Health Policy; Regulated Industries; Rules

3/10/201 SENATE Indefinitely postponed and withdrawn from consideration

3/10/2018 SENATE Died in Health Policy

[SB 954](#)

State Employees' Prescription Drug Program

Passidomo

State Employees' Prescription Drug Program; Requiring the Department of Management Services to implement formulary management cost-saving measures; removing a provision that prohibits the department from implementing a restricted prescription drug formulary or prior authorization program in the state employees' prescription drug program, etc. Effective Date: 1/1/2019

2/9/2018 SENATE Now in Appropriations

3/10/201 SENATE Indefinitely postponed and withdrawn from consideration

3/10/2018 SENATE Died in Appropriations

[SB 956](#)

Public Records

Mayfield

Public Records; Providing that certain information related to agency contracts is not confidential or exempt from public records requirements; deleting provisions exempting certain information from public records requirements under the Florida Emergency Planning and Community Right-to-Know Act; deleting provisions relating to a public records exemption for trade secrets held by Space Florida; deleting a requirement that certain trade secret information submitted to the Agency for Health Care Administration be clearly designated as such, etc. Effective Date: On the same date that SB 958 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law

12/4/2017 SENATE Referred to Governmental Oversight and Accountability; Appropriations; Rules

3/10/201 SENATE Indefinitely postponed and withdrawn from consideration

3/10/2018 SENATE Died in Governmental Oversight and Accountability

[SB 958](#)**Public Records/Trade Secrets**

Mayfield

Public Records/Trade Secrets; Providing an exemption from public records requirements for a trade secret held by an agency; providing that an agency employee is not liable for the release of records in compliance with the act; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc. Effective Date: On the same date that SB 956 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law

12/4/2017 SENATE Referred to Governmental Oversight and Accountability; Appropriations; Rules

3/10/201 SENATE Indefinitely postponed and withdrawn from consideration

3/10/2018 SENATE Died in Governmental Oversight and Accountability

[HB 1039](#)**Marriage and Family Therapists**

Mercado

Marriage and Family Therapists: Provides equivalent education requirements for licensure by examination; removes certain education requirements for licensure or certification by endorsement. Effective Date: July 1, 2018

1/3/2018 HOUSE Now in Health Quality Subcommittee

3/10/201 HOUSE Indefinitely postponed and withdrawn from consideration

3/10/2018 HOUSE Died in Health Quality Subcommittee

[HB 1045](#)**Immunization Registry**

Pigman

Immunization Registry: Revises provisions relating to communicable disease prevention & control programs under DOH; provides requirements for electronic availability of immunization records; requires certain health care practitioners to submit & update data in immunization registry; revises school-entry health requirements to require students to have certificate of immunization on file with department's immunization registry. Effective Date: January 1, 2020

2/5/2018 HOUSE Placed on Calendar, on 2nd reading

3/10/201 HOUSE Indefinitely postponed and withdrawn from consideration

3/10/2018 HOUSE Died on Second Reading Calendar

[HB 1047](#)**Department of Health**

Gonzalez

Department of Health: Revises & provides provisions relating to DOH, including licensure, registration, inspection, discipline, permits, adverse incidents, education requirements; repeals provisions related to registration, registration certificates, change of ownership or address, advertising, information, periodic inspections, & equipment & supplies, suspension, revocation, & administrative fines, rules, & violations; revises qualifications for licensure as massage therapist. Effective Date: July 1, 2018

3/9/2018 HOUSE Placed on Calendar, on 2nd reading

3/10/201 HOUSE Indefinitely postponed and withdrawn from consideration

3/10/2018 HOUSE Died on Second Reading Calendar

[SB 1068](#)

Office of Drug Control

Rader

Office of Drug Control; Creating the Office of Drug Control within the Executive Office of the Governor; providing for the office to be headed by a director appointed by the Governor, subject to Senate confirmation, etc. Effective Date: 7/1/2018

12/13/2017 SENATE Referred to Health Policy; Appropriations; Rules

3/10/201 SENATE Indefinitely postponed and withdrawn from consideration

3/10/2018 SENATE Died in Health Policy

[SB 1128](#)

Pharmacies

Stargel

Pharmacies; Revising the membership of the Board of Pharmacy; establishing Class III institutional pharmacies; authorizing the distribution of medicinal drugs and prepackaged drug products without a specified permit under certain conditions, etc. Effective Date: 7/1/2018

2/22/2018 SENATE Placed on Calendar, on 2nd reading

3/6/2018 SENATE Placed on Special Order Calendar, 03/08/18

3/8/2018 SENATE Read Second Time; Substituted for HB 0675; Laid on Table, Refer to HB 0675

[SB 1252](#)

Distributing Pharmaceutical Drugs and Devices

Passidomo

Distributing Pharmaceutical Drugs and Devices; Revising an exception to pharmacy regulations for certain manufacturers and distributors of dialysis drugs or supplies, etc. Effective Date: Upon Becoming Law

2/22/2018 SENATE Placed on Calendar, on 2nd reading

3/2/2018 SENATE Placed on Special Order Calendar, 03/06/2018

3/6/2018 SENATE Read Second Time; Substituted for HB 0513; Laid on Table, Refer to HB 0513

[HB 1295](#)

Emergency Medical Services

Brown

Emergency Medical Services: Authorizes paramedic or emergency medical technician to provide alternative treatment options to certain patients in nonemergency setting; provides immunity from liability for certain medical personnel providing emergency examination & treatment of incapacitated persons without consent. Effective Date: July 1, 2018

1/12/2018 HOUSE Now in Health Quality Subcommittee

3/10/201 HOUSE Indefinitely postponed and withdrawn from consideration

3/10/2018 HOUSE Died in Health Quality Subcommittee

<u>HB 1337</u>	Nursing	Pigman
<p>Nursing: Defines term "advanced practice registered nurse"; deletes terms "advanced registered nurse practitioner," & "clinical nurse specialist"; provides for certain application requirements for nurses desiring to be licensed APRN; authorizes Board of Nursing to adopt rules. Effective Date: October 1, 2018</p> <p>3/9/2018 SENATE Read Third Time; Passed (Vote: 37 Yeas / 0 Nays)</p> <p>3/9/2018 HOUSE Ordered enrolled</p> <p>3/9/2018 HOUSE Enrolled Text (ER) Filed</p>		
<u>HB 1343</u>	School Health Immunizations	Mercado
<p>School Health Immunizations: Revises child immunization requirements to include vaccine for human papillomavirus. Effective Date: July 1, 2018</p> <p>1/12/2018 HOUSE Now in Health Quality Subcommittee</p> <p>3/10/201 HOUSE Indefinitely postponed and withdrawn from consideration</p> <p>3/10/2018 HOUSE Died in Health Quality Subcommittee</p>		
<u>SB 1372</u>	Drug Safety	Taddeo
<p>Drug Safety; Prohibiting a pharmacist or practitioner from dispensing specified opioids unless the prescription bottle or container has applied to it a warning sticker approved by the Department of Health which meets certain requirements; requiring pharmacies to offer for sale prescription lock boxes, etc. Effective Date: 1/1/2019</p> <p>1/12/2018 SENATE Referred to Health Policy; Regulated Industries; Rules</p> <p>3/10/201 SENATE Indefinitely postponed and withdrawn from consideration</p> <p>3/10/2018 SENATE Died in Health Policy</p>		
<u>HB 1385</u>	The Healthy Florida Program	Richardson
<p>The Healthy Florida Program: Creates Healthy Florida program for the purpose of comprehensive universal single-payer health care coverage; creates Healthy Florida board & public advisory committee; provides requirements including those related to preemption, conflicts of law, powers & duties of board, funding, eligibility & enrollment, health care benefits, providers, care & services, federal health programs & funding, collective negotiations, & prohibited acts; provides rulemaking authority. Effective Date: July 1, 2018.</p> <p>1/12/2018 HOUSE Now in Health Innovation Subcommittee</p> <p>3/10/201 HOUSE Indefinitely postponed and withdrawn from consideration</p> <p>3/10/2018 HOUSE Died in Health Innovation Subcommittee</p>		
<u>HB 1387</u>	Pub. Rec. and Meetings/Healthy Florida Program	Richardson
<p>Pub. Rec. and Meetings/Healthy Florida Program: Provides exemption from public meetings requirements for meetings held by the Healthy Florida Board; provides</p>		

exemption from public records requirements for any personal identifying information collected by Healthy Florida or other entities possessing such information when such information is requested for law enforcement or immigration purposes; provides for future legislative review & repeal of exemptions; provides statement of public necessity. Effective Date: on the same date that HB 1385 or similar legislation takes effect.

1/12/2018 HOUSE Now in Health Innovation Subcommittee

3/10/201 HOUSE Indefinitely postponed and withdrawn from consideration

3/10/2018 HOUSE Died in Health Innovation Subcommittee

[HB 1389](#)

Trust Funds/Creation/Healthy Florida Trust Fund

Richardson

Trust Funds/Creation/Healthy Florida Trust Fund: Creates Healthy Florida Trust Fund within OIR; provides for purpose of trust fund and source of funds; provides for future review & termination or re-creation of trust fund. Effective Date: on the same date that HB 1385 or similar legislation takes effect.

1/12/2018 HOUSE Now in Health Innovation Subcommittee

3/10/201 HOUSE Indefinitely postponed and withdrawn from consideration

3/10/2018 HOUSE Died in Health Innovation Subcommittee

[SB 1486](#)

Department of Health

Grimsley

Physician Workforce Development; Requiring the Department of Health to adopt any rules necessary to implement a specified federal program to further encourage qualified physicians to relocate to and practice in underserved areas, etc. Effective Date: 7/1/2018

3/6/2018 SENATE Died in Rules

3/10/201 SENATE Indefinitely postponed and withdrawn from consideration

3/10/2018 SENATE Died in Rules

[SB 1494](#)

Prescription Drug Pricing Transparency

Montford

Prescription Drug Pricing Transparency; Requiring pharmacists to inform customers of less expensive, generically equivalent drugs for their prescriptions and as to whether customers' cost-sharing obligations exceed the retail price of their prescriptions; requiring a pharmacy benefit manager to register with the Office of Insurance Regulation beginning on a specified date, etc. Effective Date: 7/1/2018

3/5/2018 SENATE Placed on Calendar, on 2nd reading

3/5/2018 SENATE Placed on Special Order Calendar, 03/07/18

3/7/2018 SENATE Read Second Time; Substituted for HB 0351; Laid on Table, Refer to HB 0351

[SB 1558](#)

School Health Immunizations

Rodriguez (J)

School Health Immunizations; Citing this act as the "Women's Cancer Prevention Act"; revising child immunization requirements to include a vaccine for human papillomavirus, etc. Effective Date: 7/1/2018

1/12/2018 SENATE Referred to Health Policy; Children, Families, and Elder Affairs; Rules

3/10/201 SENATE Indefinitely postponed and withdrawn from consideration

3/10/2018 SENATE Died in Health Policy

SB 1594

Nursing

Brandes

Nursing; Requiring any nurse desiring to be licensed as an advanced practice registered nurse to apply to the Department of Health, submit proof that he or she holds a current license to practice professional nursing, and meet one or more specified requirements as determined by the Board of Nursing; authorizing the board to adopt rules to provide for provisional state licensure of certified nurse midwives, certified nurse practitioners, certified registered nurse anesthetists, clinical nurse specialists, and psychiatric nurses for a specified period of time; authorizing certain certified practitioners to continue practicing advanced nursing during a specified period of time, etc. Effective Date: 10/1/2018

3/6/2018 SENATE Placed on Calendar, on 2nd reading

3/6/2018 SENATE Placed on Special Order Calendar, 03/08/18

3/8/2018 SENATE Read Second Time; Substituted for HB 1337; Laid on Table, Refer to HB 1337

SB 1680

Immunization Registry

Montford

Immunization Registry: Revising provisions relating to the communicable disease prevention and control programs under the Department of Health; deleting a provision that allows the parent or guardian of a child to refuse to have the child included in the immunization registry; revising school-entry health requirements to require that students have a certificate of immunization on file with the department's immunization registry, etc. Effective Date: 01/01/2020

1/26/2018 SENATE Now in Education

3/10/201 SENATE Indefinitely postponed and withdrawn from consideration

3/10/2018 SENATE Died in Education

SB 1706

Marriage and Family Therapists

Torres, Jr.

Marriage and Family Therapists; Providing equivalent education requirements for licensure by examination; deleting certain education requirements for licensure or certification by endorsement, etc. Effective Date: 7/1/2018

1/12/2018 SENATE Referred to Health Policy; Appropriations; Rules

3/10/201 SENATE Indefinitely postponed and withdrawn from consideration

3/10/2018 SENATE Died in Health Policy

[SB 1760](#)**Public Records/Healthy Florida Program**

Torres, Jr.

Public Records/Healthy Florida Program; Providing an exemption from public records requirements for the personal identifying information of any member of the Healthy Florida program created under SB 1872 which is held by certain entities; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc. Effective Date: On the same date that SB 1872 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law

1/12/2018 SENATE Referred to Health Policy; Governmental Oversight and Accountability; Rules

3/10/201 SENATE Indefinitely postponed and withdrawn from consideration

3/10/2018 SENATE Died in Health Policy

[SB 1764](#)**Healthy Florida Trust Fund/State Treasury**

Torres, Jr.

Healthy Florida Trust Fund/State Treasury; Creating the Healthy Florida Trust Fund in the State Treasury to be administered by the Healthy Florida Board created under SB 1872; providing that moneys in the fund must be continuously appropriated without regard to fiscal year; providing for future review and termination or re-creation of the trust fund, etc. Effective Date: On the same date that SB 1872 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law

1/12/2018 SENATE Referred to Health Policy; Appropriations Subcommittee on Health and Human Services; Appropriations

3/10/201 SENATE Indefinitely postponed and withdrawn from consideration

3/10/2018 SENATE Died in Health Policy

[SB 1796](#)**Emergency Medical Services**

Rouson

Emergency Medical Services; Authorizing a paramedic or an emergency medical technician to provide alternative treatment options to certain patients in a nonemergency setting; revising requirements for rules adopted by the Department of Health governing minimum standards for ambulance equipment and supplies and ambulance and vehicle design and construction; providing immunity from liability for certain individuals who provide emergency examination and treatment of an incapacitated patient under the supervision of specified medical professionals, etc. Effective Date: 7/1/2018

1/12/2018 SENATE Referred to Health Policy; Judiciary; Rules

3/10/201 SENATE Indefinitely postponed and withdrawn from consideration

3/10/2018 SENATE Died in Health Policy

[SB 1872](#)**Health Care Coverage**

Torres, Jr.

Health Care Coverage; Citing this act as the, "Healthy Florida Act"; creating the Healthy Florida program, to be administered by the Healthy Florida Board; requiring the State Surgeon General of the Department of Health to establish a public advisory committee

to advise the board on policy matters; providing that every resident of this state is eligible and entitled to enroll under the Healthy Florida program; providing health care provider qualifications for participation in the program, etc. Effective Date: 7/1/2018

1/12/2018 SENATE Referred to Banking and Insurance; Appropriations Subcommittee on Health and Human Services; Appropriations

3/10/201 SENATE Indefinitely postponed and withdrawn from consideration

3/10/2018 SENATE Died in Banking and Insurance

[SB 1884](#)

Military and Veterans Affairs

Broxson

Military and Veterans Affairs; Providing requirements relating to licensure or qualification of persons ordered into active duty or state active duty; revising provisions relating to receiving training grants from Florida is for Veterans, Inc.; requiring the Division of State Fire Marshal to waive certain expenses associated with attending the Florida State Fire College; designating March 25 of each year as "Medal of Honor Day", etc. Effective Date: 7/1/2018

2/26/2018 SENATE Placed on Calendar, on 2nd reading

2/28/2018 SENATE Placed on Special Order Calendar, 03/02/18

3/2/2018 SENATE Read Second Time; Substituted for HB 0029; Laid on Table, Refer to HB 0029

[HB 3785](#)

Florida Alliance for Healthy Communities - Florida Statewide Opioid Addiction Training and Community Prevention Education Program

Burgess

Florida Alliance for Healthy Communities - Florida Statewide Opioid Addiction Training and Community Prevention Education Program: Provides an appropriation for the Florida Alliance for Healthy Communities - Florida Statewide Opioid Addiction Training and Community Prevention Education Program. APPROPRIATION: \$5,200,000.00 Effective Date: July 1, 2018

1/17/2018 HOUSE On Committee agenda - Health Care Appropriations Subcommittee, 01/19/18, 8:00 am, 404 H

1/19/2018 HOUSE Favorable by Health Care Appropriations Subcommittee; 13 Yeas, 0 Nays

1/19/2018 HOUSE Now in Appropriations Committee

[HB 3915](#)

ChildNet - Opioid and Substance Abuse Services for Children and Affected Families

Berman

ChildNet - Opioid and Substance Abuse Services for Children and Affected Families: Provides an appropriation for the ChildNet - Opioid and Substance Abuse Services for Children and Affected Families. APPROPRIATION: \$360,000.00 Effective Date: July 1, 2018

1/17/2018 HOUSE On Committee agenda - Health Care Appropriations Subcommittee, 01/19/18, 8:00 am, 404 H

1/19/2018 HOUSE Favorable by Health Care Appropriations Subcommittee; 12 Yeas, 0 Nays

1/19/2018 HOUSE Now in Appropriations Committee

HB 7009

Workers' Compensation

Commerce Committee

Workers' Compensation: Requires panel to annually adopt statewide workers' compensation schedules of maximum reimbursement allowances; extends timeframes in which employees may receive certain workers' compensation benefits & in which carrier must notify treating doctor of certain requirements; revises provisions relating to retainer agreements & awarding attorney fees. Effective Date: July 1, 2018

1/31/2018 SENATE Referred to Banking and Insurance; Appropriations; Rules

3/10/201 SENATE Indefinitely postponed and withdrawn from consideration

3/10/2018 SENATE Died in Banking and Insurance

HB 7059

Optometry

Health & Human Services Committee

Optometry: Requires DOH to license applicant for licensure & certification as optometrist when applicant meets specified requirements; removes requirements for examination fees for certification & licensure; requires fee for licensure; revises application requirements to include obtaining passing score on certain licensure examination within specified period; authorizes Board of Optometry to establish rules for passing score; removes specific topics that must be tested on licensure examination. Effective Date: upon becoming a law

3/3/2018 HOUSE Ordered enrolled

3/5/2018 HOUSE Enrolled Text (ER) Filed

3/14/2018 Signed by Officers and presented to Governor (Governor must act on this bill by 03/29/18)

COM1

Workers' Compensation

Commerce Committee

PCB COM 18-01 -- Workers' Compensation

11/7/2017 HOUSE On Committee agenda - Commerce Committee, 11/14/17, 1:00 pm, 212 K

11/14/2017HOUSE Submitted as Committee Bill with 1 amendment by Commerce Committee; 18 Yeas, 8 Nays

11/17/2017HOUSE Committee Bill filed as HB 7009

The above issues are most of the many bills that we were monitoring or working on during the 2018 session. Other issues including links to voting activity by members of the House and Senate are published on the FPA web site at <http://www.capwiz.com/pharmview/issues/bills/>. We are

pleased that we were able to move our PBM bill through the process. It is not the end of the road for that issue and it is anticipated that FPA leadership will be examining our advocacy plan for the 2019 legislative session for further opportunities. A full report will be made available at the 2018 FPA convention in Bonita Springs. Consider adding to your calendar to attend that meeting on July 11 – 15, 2018.