

## 2023 HCMA Legislative Highlights & Summary

### BUDGET WINS

- **Physician Medicaid to Medicare Rate Increase for Pediatric Services** - \$76 Million
- **Slots for Doctors** – Graduate Medical Education - \$30 Million
- **Medical Student Loan Forgiveness** - FRAME Program \$16 Million for Fiscal Year 2023-2024
- **FRAME** - \$10 Million Additional Funds for Fiscal Year 2022-2023
- **Stop the Bleed** - \$1.25 Million

### LEGISLATION THAT WAS OPPOSED AND DEFEATED:

- **Autonomous Practice by an Advanced Practice Registered Nurse** ( HB 1067 by Rep. Giallombardo and SB 1058 by Sen. Rodriguez)
- **BI/PIP Repeal** (HB 0429 by Rep Alvarez and SB 0586 by Senator Grall)
- **Physician Assistants' Prescriptive Authority** (HB 481 by Rep. Melo)
- **Foreign-licensed Physicians** (SB 956 by Sen. Rodriguez and HB 1145 by Rep. Snyder)

### LEGISLATION THAT WAS SUPPORTED AND PASSED:

- **Health Care Practitioner Titles and Designations** (SB 230 by Sen. Harrell and HB 583 by Rep. Massullo)
- **Pharmacy Benefit Manager Reform Bill** (SB 1550 by Sen. Brodeur and HB 1509 by Rep. Chaney)
- **Telehealth – Audio-only** (HB 267 by Rep. Fabricio and SB 298 by Sen. Boyd)
- **Assault or Battery on Hospital Personnel** (HB 825 by Rep. Berfield and SB 568 by Sen. Rodriguez)
- **Florida Kidcare Program Eligibility** (HB 121 by Rep Trabulsy & Bartleman and SB 246 by Senator Calatayud)
- **Pathway for Military Combat Medics Act** (HB 517 by Rep Rudman and SB 274 by Senator Avila)
- **HealthCare Provider Accountability – Office Surgery and Brazilian Butt Lifts** (HB 1471 by Rep. Bussatta-Cabrera and SB 1596 by Sen. Garcia)
- **Civil Remedies – Tort Package** (HB 837 by Rep. Fabricio and SB 236 by Sen. Hutson)

### OTHER HEALTHCARE LEGISLATION THAT PASSED:

- **Protections of Medical Conscience and Free Speech** (SB 1580 by Sen. Trumbull and HB 1403 by Rep. Rudman)
- **Abortion 6-week Ban** (SB 300 by Sen. Grall and HB 7 by Rep. Persons-Mulicka)
- **Treatments for Sex Reassignment** (SB 254 by Sen. Yarborough and HB 1421 by Rep. Fine)

### Legislation That Was Defeated

#### **Autonomous Practice by an Advanced Practice Registered Nurse**

*HB 1067 by Rep. Giallombardo and SB 1058 by Sen. Rodriguez*

We successfully fought off another attempt of midlevels to expand the scope of practice. The HCMA believes in physician-led care in all aspects of healthcare. A Medical Doctor must complete 4 years of medical school followed by 3 or more years of graduate medical education, which includes at least 15,000 clinical training hours. In comparison, Advanced Practice Registered Nurses (APRNs) are not required to complete any training beyond graduate school and obtain only 500 - 1,500 clinical training hours. APRNs are not Trained to Practice Specialty Medicine. This legislation would have allowed all advanced practice nurse practitioners, regardless of practice area, to practice independently without attending physician oversight.

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### **BI/PIP Repeal**

*HB 0429 by Rep Alvarez and SB 0586 by Senator Grall*

Personal injury protection regulation should always ensure that reimbursement of accident medical care is timely and protected. PIP's biggest asset is that it assures prompt payment to physicians who provided mandatory care for injured motorists and especially uninsured motorists. If PIP were to be repealed, we would support it under the following conditions:

- The \$5,000 physician set aside language, key to assuring liens do not give hospitals priority access to Medical Payment funds. This language was included in this year's bills.

### **Legislation That Passed**

#### **Health Care Practitioner Titles and Designations**

*SB 230 by Sen. Harrell and HB 583 by Rep. Massullo*

HCMA supports the proper and transparent use of the title "Physician". Effective July 1, healthcare practitioners will be prohibited from making misleading, deceptive, or fraudulent representations regarding the licensee's profession or specialty designation. All healthcare practitioners will be required to wear a nametag with the practitioner's name and profession when seeing patients unless the practitioner is providing services in his or her own office. In such a case, in lieu of a nametag, the practitioner must prominently display a copy of his or her license in a conspicuous area of the practice. The practitioner must also verbally identify himself or herself to a new patient by name and identify the profession that the practitioner is practicing.

#### **Pharmacy Benefit Manager Reform Bill**

*SB 1550 by Sen. Brodeur and HB 1509 by Rep. Chaney*

We support fair pricing of prescription medications, transparency, and accountability of Pharmacy Benefit Managers (PBMs). Middlemen in the U.S. prescription ecosystem known as PBMs, put profits over patients by engaging in harmful practices that restrict both patient access to their local pharmacist and access to low cost generic drugs. Proposed by Governor Ron DeSantis and signed into law on May 3, this legislation requires prescription drug manufacturers to disclose and publish prescription drug price increases on the Florida Health Finder website. The legislation also requires PBMs to obtain a certificate of authority for an administrator under the Florida Insurance Code and making them subject to existing and enhanced requirements. This Act better regulates contractual relationships between PBMs and pharmacy benefits plans and programs, and between PBMs and pharmacy providers.

#### **Telehealth – Audio-only**

*HB 267 by Rep. Fabricio and SB 298 by Sen. Boyd*

We support the continuation of the pandemic ability of doctors to choose the best method of telehealth for their patients. Under this legislation, the use of audio-only telephone calls is no longer excluded from the statutory definition of telehealth. Legislation did not include a requirement for health insurers to pay for audio-only visits.

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### **Assault or Battery on Hospital Personnel**

*HB 825 by Rep. Berfield and SB 568 by Sen. Rodriguez*

We support the reclassification of misdemeanor or felony degrees of assault and battery offenses against hospital personnel. Effective Oct. 1, if a person is charged with assault or battery against a healthcare practitioner in a hospital, the offense for which the person is charged is reclassified as follows: In the case of assault, from a second-degree misdemeanor to a first degree misdemeanor; in the case of battery, from a first degree misdemeanor to a third degree felony; in the case of aggravated assault, from a third degree felony to a second degree felony; and in the case of aggravated battery, from a second degree felony to a first degree felony.

### **Florida Kidcare Program Eligibility**

*HB 121 by Rep. Trabulsy & Bartleman and SB 246 by Senator Calatayud*

We support raising the income eligibility threshold of the federal poverty level. This legislation raises the income eligibility threshold for children in the Medikids program, Healthy Kids program, and the Children's Medical Services Network within the Florida Kidcare (Kidcare) program. It requires at least three but not more than five tiers be established that are based on a percentage of the federal poverty level to be used for assessing premiums for enrollees who are required to pay enrollment fees, premiums, copayments, deductibles, coinsurance, or similar charges for certain services within Kidcare.

### **Pathway for Military Combat Medics Act**

*HB 517 by Rep. Rudman and SB 274 by Senator Avila*

Legislation aimed to address the expected shortage of 60,000 nurses in Florida by 2035 by expanding state law to mandate that state universities, colleges, and career schools award nursing credits to combat medics based on their military training.

### **Civil Remedies – Tort Package**

*HB 837 Rep. Fabricio and SB 235 by Sen. Hutson*

While mainly pertaining to the tort system and insurance industry, the HCMA was able to make several changes to improve the final product. Our main concern was that it would limit physician reimbursement on care provided to patients injured due to the negligence of others.

***During post-session summer and fall dates, the HCMA focus will shift from our policy-making strategy to fundraising for legislators in the House and Senate who advocate for physicians and their patients. Please contribute to the HCMA's PAC and FMA PAC so we can continue to support candidates who advance the HCMA and FMA's mission.***

**HCMA PAC (HILLPAC):** <https://hcma.net/Donate>

**FMA PAC:** [https://www.flmedical.org/florida/Florida\\_Public/PAC/PAC\\_Donation.aspx](https://www.flmedical.org/florida/Florida_Public/PAC/PAC_Donation.aspx)