

2015 LEGISLATIVE SESSION OUTLOOK

POLITICAL OVERVIEW/CHANGING LANDSCAPE:

With the elections now over, Florida Republicans hold a super majority in the Florida House of Representatives after picking up six seats. This super majority will mean that any veto by Governor Scott may be overridden. In addition, it effectively has neutered House Democrats who will not be able to utilize any procedural measures to block issues from reaching the House floor. In essence, Florida House Republicans will have complete say on what issues pass or fail. The new incoming Speaker is Steve Crisafulli (R- Merritt Island). Rep. Crisafulli is an agri -businessman whose legislative interests have centered on water quality and water related issues. He has “No health care committee experience”. He will lean heavily on Representative Matt Hudson (R-Naples) who is now speaker pro tem. Rep. Hudson has been the FRAA featured legislative speaker on two occasions. He supports the Kidney community. Rep. Rich Workman (R-Melbourne) has been named the Rules Committee Chairman and was the original sponsor of the Alonzo Mourning Act. Rep. Richard Corcoran (R-Lutz) has been named Appropriation Chairman and he is the on-deck Speaker set to lead in 2016. Speaker Crisafulli has not yet named any Chairmanships for the Health Care Committees. These committee appointments should be made in December.

On the Senate side, Andy Gardiner is the new Senate President. Senator Gardiner is from Orlando, Florida. Senator Gardiner has a son with Downs Syndrome and has on many occasions expressed his desire to help persons with disabilities. Senator Gardiner has advocated and won approved funding for the Agency for Persons with Disabilities to alleviate the backlog/waiting list for persons with disabilities. Senator Garrett Richter (R-Naples) has been chosen as President-Pro Tempore. Senator David Simmons, also from central Florida, has been named to the powerful Rules Committee Chairmanship. President Gardiner has not made his other Chairmanship appointments yet, however, it is believed that Senator Joe Negron (R-Port St. Lucie) and Senator Denise Grimsley (R-Lake Placid), a licensed nurse, will still play major roles in the formation of Health Care policy.

For health care related issues, the House tends to be more sympathetic to Nurses (ARNP legislation) and insurance company related issues. The Senate is more in tune with the Florida Medical Association (FMA) positions, including no scope-of-practice increases and equal physician pay for telemedicine services. The tail wagging the dog may be the FMA who won 72 of 75 elections where they participated. This legislatively should translate into limited expansion of scope of practice issues. In particular, the Advanced Registered Nurse Practitioner legislation (ARNP). This legislation is supported by the FRAA. It will also be noticeably felt when Physician reimbursement in telemedicine is negotiated and on other reimbursement matters. The FRAA also supports Telemedicine. With the successes the FMA has recently achieved, I don't look for anymore tort reform issues surfacing this next session. I believe an emphasis will be placed on reducing regulatory requirements. It has been stated by FMA that 22% of a physician's time is spent on non-clinical paper work and regulatory requirements. Look for this Republican legislature to reduce this burden where they can. Other FMA concerns that could spill over into legislation is their belief that the current trend from consolidation to monopolization will eliminate independent practices and drive health care costs higher.

MEDICAID EXPANSION

The Florida Hospital Association recently formed a bipartisan Association of business owners the Florida chamber of commerce, the Associated Industries of Florida and other influential groups. The association "A healthy Florida works) AHFW recently released a statement expressing the need for the State of Florida to accept Federal dollars relating to Medicaid expansion. On the same day as the above release the newly elected senate minority leader Sen. Arthenia Joyner (D-Tampa) called for Senator Negron to reintroduce his Medicaid expansion bill supported by Governor Scott last year but rejected in the House. Senator Negron immediately responded saying Medicaid expansion would not be brought back in 2015. Since the Republicans now control the Federal House and Senate, they are obviously waiting to see if they can elect a Republican President and if so, dismantle Obamacare.

NURSE COMPACT PROGRAM

Discussions are underway with interested parties to include the FRAA and the Nurse Licensure Compact Association who supports this legislation. Last legislative session the FRAA coordinated meetings with Senator Grimsley and the Florida Hospital Association to gauge the interest for pursuing this interstate nurse licensure compact. A 2006 Office of Program Policy Analysis and Governmental Accountability (OPPAGA) cited a number of regulatory obstacles to Florida adoption. Stay tuned.

ADVANCED REGISTERD NURSE PRACTITIONER LEGISLATION

FRAA supports the effort to permit the expansion of the ARNP scope of work to allow them to be independent practitioners and have the authority to prescribe certain medications. This would resolve the issue of MD has to co-sign ARNP orders for Dialysis patients. Florida is only state the does not allow ARNP's to prescribe. FMA does not support expansion of scope. Look for a watered down version if anything to be introduced this year.

TELEMEDICINE

The Hang up on this legislation is fight between insurance companies and FMA. FMA wants Physician to be reimbursed at in person office visit rate. Insurance companies want to be able to negotiate rates. Stay tuned. Sentiment of overall legislature is supportive of Telemedicine but compromise must be met for passage.

SOCIAL WORKER LEGISLATION

Lobbyist for clinical social workers has advised FRAA lobbyist that the bill this year will be limited to placing limitation of 5 year cap on internships.

MEDI GAP INSURANCE

Preserve legislative requirement on merging of over 65 disabled risk pool populations with the under 65 disabled beneficiaries set to merge in 2016. Insurance companies are filing new rates as of this writing. Insurance companies may attempt to repeal in 2015.