

FLORIDA KIDNEY DAY AT THE CAPITOL AND OTHER LEGISLATIVE NEWS

As legislative committee meetings continue in Tallahassee, Florida, in preparation for the opening of the legislative session on January 10, 2012, the Florida Renal Coalition made their annual trek to the Capitol to perform the all-important task of educating legislators about our issues and safeguarding the gains we have made over the years. This year a team of over a dozen individuals comprised of a patient, Nephrologists, and Administrators from around the State made their way through the halls handing out materials and position papers on issues from State Health Insurance Exchanges to reimbursement rates and efforts to increase the use of Peritoneal Dialysis.

Just one day earlier the CKD/ESRD advisory committee met at the offices of the Agency for Health Care Administration (AHCA) to discuss the implementation of the "Peritoneal Dialysis Proviso" language passed last legislative session. The "proviso language" directed AHCA to work with dialysis providers, managed care organizations and physicians to ensure that all Medicaid patients with ESRD are educated and assessed by their physician and dialysis providers to determine their suitability for peritoneal dialysis as a modality of choice. In addition, other issues regarding transportation and the expansion of the pharmaceutical direct reimbursement program to include Hepatitis vaccines and flu shots were discussed. The latter issue is now being pursued as a legislative objective by the Florida Renal Administrators Association this legislative session. A very special thank you to Mr. Joe Karan a patient that travelled to Tallahassee along with Dr. Mark Russo M.D. PhD., representing Naples Nephrology, and Dr. Avon Doll M.D. from Tallahassee, Florida, who participated in our legislative meetings.

GOVERNOR SCOTT RELEASES BUDGET

Governor Rick Scott unveiled his \$66.4 Billion dollar budget December 7, 2011, (Pearl Harbor Day) and Hospitals will be remembering this day as if they were under attack. If the legislature adopts Gov. Scott's plan, hospitals will see a tremendous hit from a new system of reimbursement rates which would group hospitals according to certain categories and pay them identical rates. Safety Net Hospital Association showed that under this proposed budget Jackson Memorial would take a \$133.5 million dollar hit and SHands Gainesville and Jacksonville would face a combined \$65.4 million dollar reduction. Stay tuned as this legislative fight begins!

MEDICAID EXPANSION

The Agency for Health Care Administration continued their talks with the Center for Medicare and Medicaid services (CMS) after receiving their eighth extension on the current five county Medicaid program. Two issues have emerged that have delayed final approval. First, CMS wanted a continuation of the Low Income Pool that funnels approximately 1 Billion dollars a year to Hospitals and other providers that serve large numbers of low income and uninsured people. Second, the CMS is concerned

about the increases to clients in the form of co-pays and other fees for services that Medicaid recipients would be required to pay under the legislation passed last year. Several studies have suggested that these increase fees with force out of the program significant numbers of Medicaid clients. Justin Senior Deputy Secretary for the Medicaid program is confident a final decision is forthcoming. Stay tuned.

RECENTLY FILED LEGISLATION

HB385- States that certain emergency room physicians and those working in trauma centers are agents of the Government and thus under sovereign immunity protection! Sovereign immunity is a legal concept that protects governments and their contractors from being sued without their consent. A physician covered by sovereign immunity protection is required to reimburse the State for claims and costs up the sovereign immunity limits.

HB943 Background Screening: Provides that mental health personnel working in facility licensed under ch.395, F.S. who works on intermittent basis for less than 15 hours per week of direct face to face contact with patients are exempt from fingerprinting and screening requirements, also provides additional provisions for volunteers.

HB795-Health Care: “ Creates the Florida Hospital Patient Protection Act”; provides for minimum staffing requirements for ratio of direct care registered nurses to patients in health care facility; requires each facility to create staffing plan, prohibits use of unlicensed individuals....

The above legislation may be viewed by going to <http://www.myfloridahouse.gov> and under bills entering bill number!

A complete bill tracking list is attached for your review of other filed legislation. Remember all odd numbered bills are House bills, and all even numbered bills are Senate. To find Senate sponsored legislation go to: <http://www.flsenate.gov>

Other Links:

<http://www.doh.state.fl.us> for Department of Health.

<http://www.fdhc.statefl.us/> Agency for Health Care administration

FRAA LEGISLATIVE INITIATIVES

*** preserve current Medicaid reimbursement rate.

***Implement peritoneal dialysis program

***Expand existing direct reimbursement for Pharmaceuticals to include Flu shots and Hepatitis vaccines.

***Change Insurance Statute to permit third party payments.

*** stop any attempts to redefine "Clinic, to include free standing dialysis centers under AHCA licensure.

The foregoing has been provided by Robert R. Reynolds and Associates, LLC. Should you have any questions, comments or need assistance or information, please call Bob Reynolds at 850-422-0656.