

## Health Care Legislation Passed - 2012 Regular Session

- HB 0119 Relating to Motor Vehicle Personal Injury Protection Insurance Boyd  
Motor Vehicle Personal Injury Protection Insurance: Revises conditions for completing long-form traffic crash report; provides that certain entities exempt from licensure as health care clinic must nonetheless be licensed in order to receive reimbursement for provision of PIP benefits; requires that application for licensure, or exemption from licensure, as health care clinic include statement regarding insurance fraud; specifies additional unfair claim settlement practice; authorizes Division of Insurance Fraud of DFS to establish direct-support organization for purpose of prosecuting, investigating, & preventing motor vehicle insurance fraud; specifies effects of Florida Motor Vehicle No-Fault Law, etc. Effective Date: except as otherwise expressly provided in this act, this act shall take effect July 1, 2012
- HB 0171 Relating to Osteopathic Physicians Trujillo  
Osteopathic Physicians; Revises requirements for licensure or certification as osteopathic physician in this state; revises provisions relating to registration of physicians, interns, & fellows. Effective Date: July 1, 2012
- HB 0227 Relating to Prescription Drug Abuse Stargel Prescription Drug  
Abuse: Creates Statewide Task Force on Prescription Drug Abuse & Newborns; provides purpose; provides membership of task force; provides for reimbursement of per diem & travel expenses for members of task force; requires that DLA provide task force with necessary staff; specifies date for task force's organizational session; provides meeting times; provides duties of task force; requires that task force submit reports to Legislature. Effective Date: upon becoming a law
- HB 0309 Relating to Radiological Personnel Oliva  
Radiological Personnel: Defines term "specialty technologist" as it relates to certification of radiological personnel; provides titles for persons who hold certificate as specialty technologist; authorizes person holding certificate as specialty technologist to perform specific duties allowed for specialty technologist as defined by DOH; requires that duties fall within scope of practice of specialty as set by national organization for particular advanced, post primary, or specialty area; provides criteria for certification as specialty technologist; provides for applicant for certification as specialty technologist to be certified only by endorsement rather than by examination; authorizes department to issue certificate by endorsement to practice as specialty technologist to applicant who meets certain criteria. Effective Date: July 1, 2012
- HB 0363 Relating to Physician Assistants Kreegel  
Physician Assistants: Revises requirements for physician assistants to prescribe or dispense medicinal drugs; authorizing, rather than requiring, DOH to issue prescriber number to physician assistants granting authority to prescribe medicinal drugs; providing that physician assistant applying for prescribing authority must submit course transcripts and copy of course description in addition to other licensure application requirements. Effective Date: July 1, 2012
- SB 0364 Relating to Blood Establishments Gaetz (D)  
Blood Establishments; Prohibiting local governments from restricting access to public facilities or infrastructure for certain activities based on whether a blood establishment is operating as a for-profit organization or not-for-profit organization; prohibiting a blood establishment from considering whether certain customers are operating as for-profit organizations or not-for-profit organizations when determining service fees for selling blood or blood components; requiring that certain blood establishments disclose specified information on the Internet; exempting certain blood establishments from the requirements to be permitted as a prescription drug manufacturer and register products; authorizing the Department of Business and Professional Regulation to adopt rules regarding the distribution of prescription drugs by blood establishments, etc. EFFECTIVE DATE: July 1, 2012
- HB 0413 Relating to Chiropractic Medicine Mayfield Chiropractic  
Medicine: Revises requirements for obtaining chiropractic medicine faculty certificate; authorizes Board of Chiropractic Medicine to approve continuing education courses sponsored by chiropractic colleges under certain circumstances; revises requirements for person who desires to be licensed as chiropractic physician; requires that chiropractic physician preserve identity of funds or

property of patient in excess of specified amount; provides that services rendered by certified chiropractic physician's assistant under indirect supervision may occur only at supervising chiropractic physician's address of record; revises provisions relating to proprietorship by persons other than licensed chiropractic physicians. Effective Date: July 1, 2012

- HB 0473 Relating to Alzheimer's Disease Hudson Alzheimer's Disease; Establishes Purple Ribbon Task Force within DEA; provides for membership; provides that members shall serve without compensation or reimbursement for per diem or travel expenses; requires department to provide administrative support; requires task force to submit interim study to Governor & Legislature regarding state trends with respect to persons having Alzheimer's disease or related form of dementia; provides duties of task force; authorizes task force to hold meetings by teleconference or other electronic means, or in person without compensation or reimbursement for per diem or travel expenses; requires task force to submit report in form of Alzheimer's disease state plan to Governor & Legislature; provides for termination of task force. Effective Date: upon becoming law
- HB 0509 Relating to Pharmacy Logan Pharmacy; Revises types of vaccines that pharmacists may administer; authorizes pharmacists to administer vaccine or epinephrine auto injection within framework of established protocol; revises continuing professional pharmaceutical educational requirements with respect to administering such vaccines or auto injection. Effective Date: July 1, 2012
- SB 0608 Relating to Florida Healthy Kids Corporation Flores Florida Healthy Kids Corporation; Revising the membership of the board of directors of the Florida Healthy Kids Corporation to include a member nominated by the Florida Dental Association and appointed by the Governor, etc. EFFECTIVE DATE: upon becoming a law
- HB 0653 Relating to Health Care Fraud Cruz Health Care Fraud: Revises grounds under which DOH or corresponding board is required to refuse to admit candidate to examination & refuse to issue or renew license, certificate, or registration of health care practitioner; provides exception; provides that all persons who were denied renewal of licensure, certification, or registration under s. 456.0635(3), F.S., may regain licensure, certification, or registration only by completing application process for initial licensure; provides exception. Effective Date: July 1, 2012
- HB 0655 Relating to Biomedical Research Coley Biomedical Research: Extends period during which certain expenditures may be made from Biomedical Research Trust Fund; revises composition, terms, & duties of Biomedical Research Advisory Council; exempts grant programs under purview of council from ch. 120, F.S.; requires council to submit progress report & specifies contents thereof; revises provisions relating to James & Esther King Biomedical Research Program & William G. "Bill" Bankhead, Jr., & David Coley Cancer Research Program; provides that certain types of applications may, rather than shall, be considered for funding under programs; revises provisions relating to appointment, duties, & meetings of peer review panels; removes reporting requirement; revises composition of advisory council under Florida Center for Universal Research to Eradicate Disease. Effective Date: July 1, 2012
- SB 0694 Relating to Adult Day Care Centers Fasano Adult Day Care Centers; Citing this act as the "Specialized Alzheimer's Services Adult Day Care Act"; prohibiting an adult day care center from claiming to be licensed or designated as a specialized Alzheimer's services adult day care center under certain circumstances; providing educational and experience requirements for the operator of an adult day care center seeking licensure designation as a specialized Alzheimer's services adult day care center; requiring that dementia-specific services be documented in a participant's file; requiring that the center coordinate and execute discharge procedures with a participant who has a documented diagnosis of Alzheimer's disease or a dementia-related disorder and the caregiver if the participant's enrollment in the center is involuntarily terminated, etc. EFFECTIVE DATE: July 1, 2012
- HB 0711 Relating to Sale or Lease of a County, District, or Municipal Hospital Hooper Sale or Lease of a County, District, or Municipal Hospital: Requires that governing board of county, district, or municipal hospital evaluate possible benefits to affected community from sale or lease of hospital facility to not-for-profit or for-profit entity within specified time period; requires governing board to make public required findings & documents & to publish notice of proposed transaction in one or more newspapers of general circulation in county in which majority of physical assets of hospital are located; provides that sale or lease is subject to approval of Secretary of Health Care Administration; provides that purposes for which special taxing district may appropriate funds from sale or lease of hospital or health care system include promotion & support of economic growth in district & county in which taxing district is located & furthering of purposes of taxing district. Effective Date: upon becoming a law

- SB 0730 Relating to Medicaid Managed Care Plans Flores  
 Medicaid Managed Care Plans; Requiring the Agency for Health Care Administration to establish per-member, per-month payments; substituting the Medicare Advantage Coordinated Care Plan for the Medicare Advantage Special Needs Plan; revising the definition of "eligible plan" to include certain Medicare plans; limiting the penalty that a plan must pay if it leaves a region before the end of the contract term; providing that certain Medicare plans are not subject to procurement requirements or plan limits; requiring dually eligible Medicaid recipients to be enrolled in the Medicare plan in which they are already enrolled; revising the list of Medicare plans that are not subject to procurement requirements for long-term plans; revising the list of Medicare plans in which dually eligible Medicaid recipients are enrolled in order to receive long-term care, etc. EFFECTIVE DATE: July 1, 2012
- HB 0787 Relating to Nursing Home Facilities Trujillo  
 Nursing Home Facilities: Revises provisions relating to other needed services provided by licensed nursing home facilities, including respite care, adult day, & therapeutic spa services; revises provisions relating to facilities eligible to share programming & staff; deletes requirements for submission of certain reports to AHCA; provides requirements for nursing home facility operated by licensee that provides respite care services; provides for rights of persons receiving respite care in nursing home facilities; requires prospective respite care recipient to provide certain information to nursing home facility; provides exemption from certain certificate-of-need requirements to provide for creation of pilot project in any of specified AHCA subdistricts; requires nursing home to be affiliated with accredited nursing school that offers certain degree programs; provides requirements for affiliation with private accredited university; provides for pilot project to proceed notwithstanding any moratorium under certain conditions; provides for expiration of exemption; defines "day" for purposes of day care services provided to adults who are not residents; provides funding limitation on sheltered nursing home beds used to provide assisted living, rather than extended congregate care, services; authorizes certain sharing of areas, services, & staff between such sheltered beds & nursing home beds in those facilities; redefines "geriatric outpatient clinic" & "resident care plan" & defines "therapeutic spa services" applicable to regulation of nursing home facilities. Effective Date: July 1, 2012
- HB 0799 Relating to Physical Therapy Goodson  
 Physical Therapy; Authorizes issuance of temporary permit to practice as physical therapist or physical therapist assistant; provides requirements for issuing temporary permit; provides for voiding of temporary permit; provides requirements for supervision of temporary permittees. Effective Date: June 1, 2012
- HB 0801 Relating to Emergency 911 Service Steube  
 Emergency 911 Service; Provides exception to certain confidentiality provisions when coronary emergency is taking place; revises membership of E911 Board & qualifications for members; revises provisions for implementation of E911 fee & provisions limiting local carrier liability in connection with 911 or E911 service; provides for entity to notify local public safety answering point regarding location of defibrillator; revises provisions for appointment of representatives to advisory committee to PSC. Effective Date: July 1, 2012
- SB 0922 Relating to Current and Former Military Personnel Bennett  
 Current and Former Military Personnel; Creating the Florida Veterans' Hall of Fame Council; creating the "T. Patt Maney Veterans' Treatment Intervention Act."; creating a court program for certain service members and military veterans who suffer from mental illness, traumatic brain injury, substance use disorder, or psychological problems as a result of their military service; requiring certain Florida College System institutions and state universities to provide priority course registration for veterans; providing honorary designations of certain transportation facilities in specified counties, etc. Effective Date: Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2012.
- HB 0943 Relating to Background Screening Holder  
 Background Screening: Revises exemptions from background screening requirements for certain mental health personnel & law enforcement officers; eliminates rule that requires AHCA to stagger rescreening schedules; revises provisions relating to background screening for persons rendering care in consumer-directed care program; revises provisions relating to general vocational rehabilitation programs; requires registration of service providers; requires background screening & rescreening of certain persons having contact with vulnerable persons; provides exemptions; provides disqualifying offenses; provides that cost of screening shall be borne by provider or person being screened; provides conditions for denial, suspension, termination, or revocation of registration or other agreements; provides for notice; provides applicability; includes person who has access to client's personal identification information within definition of term "direct service provider"; exempts certain professionals licensed by DOH, attorneys in good standing, relatives of clients, & certain volunteers from level 2 background screening; exempts certain

licensed professionals & persons from further screening; provides requirements for screening of direct service providers; requires vendors who submit fingerprints on behalf of employers to meet specified criteria; authorizes employer to hire employee to position that otherwise requires background screening before completion of screening process for purpose of training employee; prohibits employee from having direct contact with vulnerable persons until screening process is complete; creates Care Provider Background Screening Clearinghouse under AHCA, in consultation with FDLE; provides for specified agencies to share results of criminal history checks; provides exemption for certain employees who have undergone criminal history check before clearinghouse is operational; requires application for initial licensure or license renewal in profession regulated by DOH to include fingerprints submitted by approved vendor after specified date; requires applicant to pay costs of fingerprint processing; Effective Date: upon becoming a law

- SB 1040 Relating to Practice of Dentistry Bogdanoff  
Practice of Dentistry; Revising the eligibility requirements for taking the examinations required to practice dentistry if the applicant is a graduate of a certain dental college or school; revising the eligibility requirements for taking the examinations required to practice dental hygiene; revising the licensing requirements to practice as a dental hygienist; authorizing dental hygienists to administer certain local anesthesia under the direct supervision of a licensed dentist if certain educational requirements are met; requiring dental hygienists to maintain current certification in basic or advanced cardiopulmonary resuscitation or advanced cardiac life support with recertification every 2 years, etc. Effective Date: upon becoming a law
- HB 1263 Relating to Department of Health Hudson  
Department of Health: Revises purpose of DOH; revises duties of State Surgeon General; eliminates Officer of Women's Health Strategy; eliminates Florida Drug, Device, & Cosmetic Trust Fund as trust fund under DOH; provides that two or more counties may combine for operation of county health department under certain conditions; requires DOH to be responsible for state public health system; requires DOH to provide leadership for partnership involving federal, state, & local government & private sector to accomplish public health goals; allows counties to enact health regulations & ordinances consistent with state law; requires DOH to establish rules for conditions & procedures for imposing & releasing quarantine; provides that rules established under this section supersede all rules enacted by other state agencies, boards, or political subdivisions; provides that violation of rules established under section, quarantine, or requirement adopted pursuant to declared public health emergency is second-degree misdemeanor, etc. Effective Date: upon becoming a law
- HB 1299 Relating to North Lake County Hospital District, Lake County Metz  
North Lake County Hospital District, Lake County: Codifies special laws relating to district; provides legislative intent; amends, codifies, reenacts, & repeals chs. 2002-348 & 2004-460, LOF, relating to district; re-creates district & re-creates & reenacts charter; provides definitions & public purpose; prohibits person from seeking election to board of trustees if person has previously served on board of certain entities within specified time; requires publication of annual meeting notice on publicly accessible website; provides general powers of district, including power to levy ad valorem tax not to exceed specified millage; establishes permitted uses of tax funds; provides restrictions on district board's activities; prescribes requirements of board for fiscal responsibility, transparency, & accountability; provides financial disclosure requirements & reporting, notice, & public meeting provisions for board; provides for sovereign immunity; provides for expiration of district at specified time without further legislative action & permits continuation of district by referendum at end of 10-year intervals; provides for referendum. Effective Date: upon becoming a law
- SB 1856 Relating to Public Records and Public Meetings/Peer Review Panels/Biomedical Research Grants Flores  
Public Records and Public Meetings/Peer Review Panels/Biomedical Research Grants; Providing an exemption from public meeting requirements for certain meetings of a peer review panel under the James and Esther King Biomedical Research Program and the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program; providing an exemption from public records requirements for certain records related to biomedical research grant applications; providing an exemption from public records requirements for research grant applications provided to, and reviewed by, the peer review panel, etc. Effective Date: on the same date that SB 616 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes law
- SB 1958 Relating to Department of Health Budget  
Department of Health; Assigning, for administrative purposes, the Correctional Medical Authority to the Executive Office of the Governor, rather than the Department of Health; reducing the membership of the authority, etc. Effective Date: July 1, 2012

- HB 4163 Relating to Continuing Education for Athletic Trainers and Massage Therapists Hudson  
Continuing Education for Athletic Trainers and Massage Therapists: Repeals provisions relating to requirement for athletic trainers & massage therapists to complete continuing education on modes of transmission, infection control procedures, clinical management, & prevention of human immunodeficiency virus & acquired immune deficiency syndrome. Effective Date: July 1, 2012
- HB 4175 Relating to Palm Beach County Rooney, Jr.  
Palm Beach County; Repeals special act relating to rabies vaccination & licensing & regulation of animals in county. Effective Date: upon becoming a law
- HB 5301 Relating to Medicaid Services Health Care Appropriations Subcommittee  
Medicaid Services; Creates, subject to appropriation, an Internet-based system for eligibility determination for Medicaid & CHIP; requires system to accomplish specified business objectives; requires DCFS to develop system contingent upon appropriation; requires system to be completed & implemented by specified dates; requires department to implement governance structure pending implementation of program; provides for membership & duties of executive steering committee; limits payment for emergency room services for nonpregnant Medicaid recipient 21 years of age or older; eliminates Medicaid optional coverage for chiropractic services & podiatric services for Medicaid recipient 21 years of age or older; continues audited data specified for use in calculating amounts due to hospitals under disproportionate share program, prohibition against distributing moneys under disproportionate share program for regional perinatal intensive care centers, authorization for distribution of moneys to certain teaching hospitals under disproportionate share program, & prohibition against distributing moneys under primary care disproportionate share program; deletes references to Adult Day Health Care Waiver; expands scope of home health agency monitoring pilot project & comprehensive care management pilot project; authorizes AHCA to contract with certain organizations to provide services under federal Program of All-inclusive Care for the Elderly in specified counties; exempts such organizations from ch. 641, F.S., relating to health care services programs; authorizes, subject to appropriation, enrollment slots for such program in such counties. Effective Date: July 1, 2012
- HB 7035 Relating to OGSR/Physician Workforce Surveys Government Operations Subcommittee  
OGSR/Physician Workforce Surveys; Removes from scheduled repeal under Open Government Sunset Review Act exemptions from public records requirements for personal identifying information contained in physician workforce surveys submitted to DOH by physicians & osteopathic physicians. Effective Date: October 1, 2012
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