

THE FLORIDA SENATE
2016 SUMMARY OF LEGISLATION PASSED
Committee on Health Policy

CS/CS/HB 941 — Department of Health

by Health and Human Services Committee; Health Quality Subcommittee; Rep. Gonzalez and others (CS/CS/SB 918 by Appropriations Committee; Health Policy Committee; and Senator Richter)

The bill authorizes the Department of Health (DOH) to waive fees and issue health care licenses to active duty U.S. military personnel who are within six months of an honorable discharge; and to waive fees and issue licenses, except for dental licenses, to active duty military spouses if the person is a practitioner in a profession for which licensure in another state or jurisdiction is not required, under certain circumstances. The bill authorizes the DOH to issue certificates to military trained emergency medical technicians (EMTs) and paramedics under certain circumstances; and authorizes the issuance of temporary certificates to active duty military licensed in another state and practicing in Florida pursuant to a military platform.

The bill exempts a chiropractic physician from regulation in Florida when he or she holds an active license in another jurisdiction and is performing chiropractic procedures or demonstrating equipment or supplies for educational purposes at a board-approved continuing education program.

The bill also updates various provisions regulating health care professions to reflect current operations and to improve operational efficiencies, including:

- Conforming Florida Statutes to reflect implementation of the integrated electronic continuing education (CE) tracking system regarding the licensure and renewal process;
- Authorizing the DOH to contract with a third party to serve as the custodian of medical records in the event of a practitioner's death, incapacitation, or abandonment of records;
- Extending the period of time in which an EMT or paramedic certificate may be renewed;
- Deleting the requirement for pre-licensure courses relating to HIV/AIDS and medical errors for certain professions;
- Eliminating a loophole pertaining to the licensure and license renewal of certain felons, persons convicted of Medicaid fraud, or other excluded individuals;
- Eliminating the requirement for annual inspections of dispensing practitioners' facilities;
- Repealing the Council on Certified Nursing Assistants and the Advisory Council of Medical Physicists; and
- Providing for a one-year temporary license for medical physicists.

Additionally, the bill mandates more stringent reporting requirements for the James and Esther King Biomedical Research Program, the William G. "Bill" Bankhead, Jr., David Coley Cancer Research Program, the Ed and Ethel Moore Alzheimer's Disease Research Program within the DOH, and entities that receive a specific appropriation for biomedical research and related functions.

Unspent, but obligated, general revenue funds that are appropriated to the Ed and Ethel Moore Alzheimer's Disease Research Program are authorized to be carried forward on June 30 of each fiscal year for up to five years after the effective date of the original appropriation.

The bill also:

- Provides parameters for certain health care practitioners to provide expedited partner therapy related to sexually transmissible disease under specified circumstances and requirements.
- Established the Office of Minority Health and Health Equity within the DOH to administer the Closing the Gap grant program.
- Exempts a Florida-permitted manufacturer from regulation under the Florida Pharmacy Act for the delivery of dialysate, drugs, or devices to a patient with chronic kidney failure or to a health care practitioner for the self-administration or administration of dialysis therapy, as applicable.
- Authorizes a pharmacist to dispense a one-time emergency refill of one vial of insulin to treat diabetes mellitus.

If approved by the Governor, these provisions take effect July 1, 2016.

Vote: Senate 37-0; House 112-3