



26 381.995 Health Innovation Commission.—

27 (1) The Health Innovation Commission, a commission as  
28 defined in s. 20.03(10), is created within the Agency for Health  
29 Care Administration for the purpose of facilitating the  
30 implementation of innovative ideas to increase efficiency,  
31 reduce costs, and improve patient outcomes in the healthcare  
32 delivery system. The commission is assigned to the agency for  
33 administrative, staffing, and fiscal accountability purposes,  
34 but it shall otherwise function independently of the control and  
35 direction of the agency.

36 (2) (a) The commission shall convene no later than December  
37 1, 2019, and shall be composed of 11 members who have experience  
38 in the healthcare delivery system, including healthcare industry  
39 representatives, healthcare practitioners, and consumers. Three  
40 members shall be appointed by the Governor, three members shall  
41 be appointed by the President of the Senate, and three members  
42 shall be appointed by the Speaker of the House of  
43 Representatives. The Secretary of Health Care Administration and  
44 the State Surgeon General shall serve as ex officio nonvoting  
45 members. The Governor shall appoint the chair of the commission.

46 (b) Members shall serve without compensation and are not  
47 entitled to reimbursement for per diem or travel expenses.

48 (c) The commission shall meet at least quarterly or upon  
49 the call of the chair and as often as necessary to carry out its  
50 duties and responsibilities. The commission may use any method

51 of telecommunications to conduct its meetings.

52 (3) (a) The commission shall solicit proposals for  
53 innovative improvements to the healthcare delivery system which  
54 would require an exemption from one of the following provisions  
55 of law or rule to effectively or efficiently implement the  
56 proposal:

57 1. The requirements of s. 408.036, and any related rules.

58 2. The licensure restrictions in s. 395.003(8), and any  
59 related rules.

60 3. The time limitations in s. 395.002(3), and any related  
61 rules.

62 4. The practice restrictions in s. 465.003(13), and any  
63 related rules.

64 5. The licensure restrictions in s. 456.065, or any  
65 similar restrictions in a practice act for a health care  
66 practitioner as defined in s. 456.001, and any related rules, if  
67 the person holds an active and unencumbered license to practice  
68 such health care profession in another state.

69 6. The supervisory protocol requirements in s. 464.003(2)  
70 or s. 464.012(3), and any related rules.

71 (b) A proposal must offer a solution to an existing  
72 problem in the healthcare delivery system that would increase  
73 efficiency, reduce costs, or improve patient outcomes. Based on  
74 such a proposal, the commission may grant an exemption from a  
75 law or rule in accordance with section.

76       (4) (a) A person may submit a proposal to the commission  
77 for review in a form created by commission rule. Such a proposal  
78 must, at a minimum:

79       1. Identify an existing problem in the healthcare delivery  
80 system, including inefficiency, high costs, or poor patient  
81 outcomes;

82       2. Propose a specific alternative or innovative healthcare  
83 delivery or payment model to solve the problem that the  
84 applicant will be able to implement, and describe the necessary  
85 changes to current practice required to effectively implement  
86 the solution;

87       3. Demonstrate, using real data or prior experience, how  
88 and to what extent the proposed solution will promote efficiency  
89 in the healthcare delivery system, improve patient outcomes, or  
90 reduce health care costs to the consumer, industry, or  
91 government; and

92       4. Identify specific barriers to the implementation of the  
93 proposed solution in current law or rule, request that the  
94 commission grant an exemption from such law or rule, and  
95 demonstrate the impact such exemption would have on patient  
96 health and safety.

97       (b) Upon receipt of a proposal, the commission shall  
98 perform an preliminary review of the proposal, and may call upon  
99 relevant state agencies for professional assistance as needed to  
100 perform the review. The state agencies shall provide such

101 assistance in a timely manner, which may include, but is not  
102 limited to:

103 1. Providing background information on the issue,  
104 including, but not limited to, relevant policies, laws, rules,  
105 and data;

106 2. Identifying what agency action, if any, would be  
107 required to implement the proposed solution; and

108 3. Assessing whether the proposed solution would achieve  
109 the purpose of this section, and if not, recommending any way in  
110 which the proposed solution could be amended to do so.

111 (c) Based on its full review of the proposal and any  
112 information provided by the relevant state agencies, the  
113 commission shall adopt written findings that include a statement  
114 of the relevant facts and the rationale for granting or denying  
115 the request for an exemption. The commission shall provide a  
116 copy of its written findings and decision to the applicant  
117 within 30 days after finalizing its decision.

118 (d) The commission may only grant an exemption from a law  
119 or rule to the extent necessary to implement the proposal. The  
120 commission may impose conditions on the grant, but only to the  
121 extent necessary to achieve the purpose of this section. The  
122 commission may not grant an exemption from a law or rule if  
123 doing so would violate federal law or jeopardize public health  
124 and safety or if the law or rule is required by the Federal  
125 Government for implementation or retention of any federally

126 approved or delegated program, except as authorized by such  
127 program or if approved by the appropriate agency of the Federal  
128 Government. The commission shall only grant a request for an  
129 exemption from a law or rule if it determines there is  
130 compelling evidence to show that:

131 1. The proposal is likely to achieve the purpose of this  
132 section;

133 2. An exemption from the specified law or rule is  
134 necessary for the effective implementation of the proposal; and

135 3. The potential benefits of the proposal outweigh any  
136 potential harm to the public health and safety that may result  
137 from such exemption.

138 (e) If the commission grants a request for an exemption  
139 from a law or rule, it must file a copy of its written findings  
140 and decision with the relevant state agencies within 30 days  
141 after finalizing its decision.

142 (5) By November 1 of each year, the agency shall submit a  
143 report of the commission's activities to the Governor, the  
144 President of the Senate, and the Speaker of the House of  
145 Representatives. The report shall include, at a minimum:

146 (a) Summaries of the proposals reviewed by the commission  
147 during the previous fiscal year, including background  
148 information, an explanation of the proposed solutions, a fiscal  
149 analysis, any barriers to implementing the proposed solutions in  
150 existing law or rule at the time during which the proposals were

151 submitted, and a copy of the commission's written findings and  
152 decisions; and

153 (b) A list of any provisions of law or rule from which the  
154 commission granted exemptions within the previous fiscal year.

155 (6) The commission may adopt rules necessary to implement  
156 this section.

157 Section 2. For the 2019-2020 fiscal year, two full-time  
158 equivalent positions with associated salary rate of 72,137 are  
159 authorized and the sums of \$174,594 in recurring funds and  
160 \$7,144 in nonrecurring funds from the Health Care Trust Fund are  
161 appropriated to the Agency for Health Care Administration for  
162 the purpose of implementing this act.

163 Section 3. This act shall take effect July 1, 2019.